

EXHIBIT H
Nichols Deposition Transcript

Page 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Lisa Lewandowski,

Plaintiff,

vs.

Case Number 1:2009CV04949

Columbia College Chicago,

Defendant.

Deposition of Eliza Nichols

Thursday

October 5th, 2010

-at-

David L. Lee Law Offices

53 West Jackson Boulevard

Suite 660

Chicago, Illinois

Page 2	Page 4
<p>1 APPEARANCES</p> <p>2</p> <p>3 For the Plaintiffs:</p> <p>4 David L. Lee</p> <p>5 David L. Lee Law Offices</p> <p>6 53 West Jackson Boulevard</p> <p>7 Suite 660</p> <p>8 Chicago, Illinois 60604</p> <p>9</p> <p>10 For the Defendant:</p> <p>11 Jennifer Helen Kay</p> <p>12 Tribler, Orpett & Meyer, P.C.</p> <p>13 225 West Washington Street</p> <p>14 Suite 1300</p> <p>15 Northbrook, Illinois 60606</p> <p>16</p> <p>17 For the Defendant:</p> <p>18 Paul Andrew Denham</p> <p>19 Columbia College</p> <p>20 600 South Michigan Avenue</p> <p>21 Chicago, Illinois 60605</p> <p>22</p> <p>23 RECORDER: Good afternoon, we are now on the</p> <p>24 record. Today is Tuesday, October 5th, 2010. The time</p> <p>25 is now 1:05 p.m. We are located at David Lee Law</p>	<p>1 BY MR. LEE:</p> <p>2 Q. Dean Nichols, I'm going to hand you what the</p> <p>3 court reporter has marked as deposition Exhibit I,</p> <p>4 which is the notice of 30(b)(6) deposition of the</p> <p>5 defendant, and I'll give a copy to Ms. Kay. Have you</p> <p>6 ever seen this notice of 30(b)(6) deposition before? 0:01:51</p> <p>7 A. No.</p> <p>8 Q. If you'll turn to the last page, above my</p> <p>9 signature you see that it says the deposition will be</p> <p>10 recorded by audiovisual means?</p> <p>11 A. Mm-hmm.</p> <p>12 Q. Were you informed of that?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And above that it says, "Each person</p> <p>15 designated is requested to bring with him or her a copy</p> <p>16 of his or her current or last available job</p> <p>17 description, resume, and business card." Did you bring</p> <p>18 any of those? 0:02:21</p> <p>19 A. No, I didn't. I do have a business card.</p> <p>20 MS. KAY: David, we can -- if you need it. I</p> <p>21 think we neglected to ask to bring a CV. We can have</p> <p>22 one sent if you want it --</p> <p>23 MR. LEE: Sure.</p> <p>24 MS. KAY: -- emailed.</p> <p>25 Q. Can I see your business card?</p>
Page 3	Page 5
<p>1 Offices, 53 West Jackson Boulevard, Suite 505, Chicago,</p> <p>2 Illinois, for a deposition in the matter of Lisa,</p> <p>3 L-I-S-A, Lewandowski, L-E-W-A-N-D-O-W-S-K-I, v.</p> <p>4 Columbia College Chicago, Case Number 1:2009 CV 04949. 0:00:31</p> <p>5 The venue is Northern District of Illinois, Eastern</p> <p>6 Division. The witness today is Eliza Nichols,</p> <p>7 E-L-I-Z-A, no middle name, N-I-C-H-O-L-S. Ms. Nichols,</p> <p>8 my name is Erin Sloan, I'm a notary public and an</p> <p>9 employee of Textnet Court Reporter. At this time,</p> <p>10 would you please raise your right hand for the oath? 0:00:54</p> <p>11 (Witness sworn)</p> <p>12 RECORDER: Would the attorneys please state</p> <p>13 their appearances for the record?</p> <p>14 MR. LEE: David Lee, L-E-E, for the</p> <p>15 plaintiff.</p> <p>16 MS. KAY: Jennifer Kay, K-A-Y, for the</p> <p>17 defendant.</p> <p>18 MR. DENHAM: Paul Denham, D-E-N-H-A-M,</p> <p>19 assistant general counsel, Columbia College Chicago.</p> <p>20 RECORDER: Can you state your name as well?</p> <p>21 MS. CARON: Lisa Caron, C-A-R-O-N, court</p> <p>22 reporter in training.</p> <p>23 RECORDER: That completes the required</p> <p>24 information. We can proceed. 0:01:26</p> <p>25 EXAMINATION</p>	<p>1 A. Yeah. I'm looking for it. Think I still</p> <p>2 have it. Yeah. 0:02:46</p> <p>3 Q. And is what you handed me a true and correct</p> <p>4 copy of your current business card?</p> <p>5 A. Let me make sure it's mine. Yes. It is.</p> <p>6 Q. And you're a Dean at Columbia College</p> <p>7 Chicago?</p> <p>8 A. Yes.</p> <p>9 Q. Dean of the School of Fine and Performing</p> <p>10 Arts?</p> <p>11 A. Yes.</p> <p>12 Q. Is that the same position you held when Lisa</p> <p>13 Lewandowski worked for you?</p> <p>14 A. Yes. 0:03:09</p> <p>15 Q. Okay.</p> <p>16 MR. LEE: I'm going to ask the court reporter</p> <p>17 to mark this card as Exhibit 2.</p> <p>18 RECORDER: Exhibit 2.</p> <p>19 Q. Okay. If you'd go back to Exhibit 1, the</p> <p>20 notice of 30(b)(6) dep, starting on the -- sort of the</p> <p>21 middle of the first page, do you see there's a bunch of</p> <p>22 numbered paragraphs?</p> <p>23 A. Mm-hmm. 0:03:34</p> <p>24 Q. Okay. Is that -- I'm sorry, is that yes?</p> <p>25 A. Yes, I'm sorry.</p>

Page 6	Page 8
<p>1 Q. Okay. Do you know which, if any, of these</p> <p>2 numbered paragraphs you're here to talk about?</p> <p>3 A. I have to read them first.</p> <p>4 Q. Would it help if we went through them one by</p> <p>5 one?</p> <p>6 A. Yeah, sure.</p> <p>7 Q. Okay. Number 1, "Defendant's policies,</p> <p>8 procedures, and practices, if any, as they existed in</p> <p>9 2006 and 2007 with respect to investigations of</p> <p>10 complaints of sexual harassment." Did I read that</p> <p>11 correctly? 0:04:05</p> <p>12 A. It sounds like you did read it correctly,</p> <p>13 yes.</p> <p>14 Q. And are you here to talk about that at all?</p> <p>15 A. I don't think so.</p> <p>16 Q. Paragraph --</p> <p>17 MS. KAY: Can we take just a moment, David?</p> <p>18 I can --</p> <p>19 MR. LEE: Uh-huh.</p> <p>20 WITNESS: Oh, okay.</p> <p>21 MS. KAY: But -- go ahead, David.</p> <p>22 MR. LEE: Well, if -- if you wanted to say</p> <p>23 which paragraphs this witness --</p> <p>24 MS. KAY: Sure.</p> <p>25 MR. LEE: -- could shortcut it a bit.</p>	<p>1 Exhibit 1, the notice of 30(b)(6) dep, on the second</p> <p>2 page, which I --</p> <p>3 A. Mm-hmm.</p> <p>4 Q. -- believe you have there, in paragraph 8,</p> <p>5 the topic is "All facts or opinions bearing on the</p> <p>6 accuracy or inaccuracy of defendant's denials, in its</p> <p>7 Answer to the Amended Complaint, of the allegations of</p> <p>8 the following paragraphs of the Amended Complaint," and</p> <p>9 then there's a whole bunch of numbers -- numbered</p> <p>10 paragraphs, right? 0:06:27</p> <p>11 A. Mm-hmm.</p> <p>12 Q. Okay. And did I read that correctly?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. So, will you look at Exhibit 3, which</p> <p>15 was just handed to you, which was -- is the First</p> <p>16 Amended Complaint?</p> <p>17 A. Mm-hmm.</p> <p>18 Q. And if you would turn to paragraph 22. 0:06:49</p> <p>19 A. Okay.</p> <p>20 Q. Paragraph 22 reads, quote, "On approximately</p> <p>21 August 1, 2007, defendant returned Ms. Lewandowski to</p> <p>22 her previous position of Assistant to the Dean of the</p> <p>23 School of Fine and Performing Arts", end quote. Did I</p> <p>24 read that correctly? 0:07:19</p> <p>25 A. You read it correctly.</p>
Page 7	Page 9
<p>1 MS. KAY: We're bringing Dean Nichols in to</p> <p>2 testify regarding paragraph 6 and 7. Pardon? And with 0:04:47</p> <p>3 regard -- well, we may need to -- to talk about this a</p> <p>4 little bit off the record. With regard to some of the</p> <p>5 other paragraphs within the -- like paragraphs 8 --</p> <p>6 MR. LEE: Mm-hmm.</p> <p>7 MS. KAY: -- and 9 and 10, breaking them down</p> <p>8 -- it might be helpful breaking down paragraph by</p> <p>9 paragraph. There may be some of these that you have 0:05:18</p> <p>10 identified which come within the -- the category</p> <p>11 addressed in paragraphs 6 and 7.</p> <p>12 MR. LEE: Okay.</p> <p>13 MS. KAY: So, most likely any of those</p> <p>14 paragraphs identified in paragraphs 8, 9, and 10 which</p> <p>15 concern the termination of the plaintiff's employment,</p> <p>16 investigations of the alleged reasons for the</p> <p>17 termination of employment, Ms. -- Dean Nichols would</p> <p>18 also be testifying regarding those items. 0:05:50</p> <p>19 MR. LEE: Okay. Thank you. I'm going to ask</p> <p>20 the court reporter to mark as deposition Exhibit 3 --</p> <p>21 RECORDER: Exhibit 3.</p> <p>22 MR. LEE: Yes. The First Amended Complaint,</p> <p>23 and I'll tender a copy to Ms. Kay.</p> <p>24 MS. KAY: Sure.</p> <p>25 Q. Okay. If you'll continue to look at the</p>	<p>1 Q. Okay. Is any of that true?</p> <p>2 A. Well, let me -- let me ask clarification. Am</p> <p>3 I the defendant? Or is the college the defendant?</p> <p>4 Q. The college is the defendant.</p> <p>5 A. Okay. So, what you're asking me is, is it</p> <p>6 true that the college returned Ms. Lewandowski to her</p> <p>7 previous position? 0:07:42</p> <p>8 Q. I'm asking if any of the paragraph that I</p> <p>9 just read is -- is true.</p> <p>10 A. I think so, yes.</p> <p>11 Q. Okay. Is any of the paragraph I just read</p> <p>12 false?</p> <p>13 A. Not that I know of.</p> <p>14 Q. So the entire paragraph 22 of the First</p> <p>15 Amended Complaint marked as Exhibit 3 is true?</p> <p>16 A. Yes.</p> <p>17 Q. And at that time, approximately August 1st,</p> <p>18 2007, you were the Dean of the School of Fine and</p> <p>19 Performing Arts? 0:08:08</p> <p>20 A. That was my first day on the job.</p> <p>21 Q. Okay. And Ms. Lewandowski was -- had the</p> <p>22 position of assistant to you?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. If you look at the next paragraph of</p> <p>25 the First Amended Complaint, which the court reporter's</p>

Page 10	Page 12
<p>1 marked as Exhibit 3, does that paragraph read, "After 2 defendant returned Ms. Lewandowski to her prior 3 position as Assistant to the Dean of the School of Fine 4 and Performing Arts, defendant denied Ms. Lewandowski 5 her own computer which she needed to do her work, took 6 Ms. Lewandowski's former office space away, assigned 7 Ms. Lewandowski's former assistants elsewhere, withheld 8 work-related information from Ms. Lewandowski, and 9 made Ms. Lewandowski do extra, unnecessary work." 0:08:52 10 Okay. First of all, is it true that once Ms. 11 Lewandowski became your assistant as -- in your 12 position as Dean of the School of Fine and Performing 13 Arts, that she did not have her old computer? 14 A. Well, I'm going to have to say that this 15 whole thing is false. Let's start with that, because 16 you asked me with the other one whether it was accurate 17 or inaccurate. This whole thing is inaccurate. But to 0:09:18 18 my knowledge, nobody owns equipment. You get the 19 equipment to do your job -- 20 Q. Mm-hmm. 21 A. -- and Ms. Lewandowski did have a computer. 22 Q. Mm-hmm. Did she have the same computer that 23 she used to have when she worked -- 24 A. I have no idea. I had arrived on August 1st. 25 I have no idea --</p>	<p>1 paragraph read -- starts, "Dean Nichols worked out of 2 New York". Is that clause true? 3 A. As Dean? 4 Q. Is it true that you worked out of New York? 5 A. Not -- 6 MS. KAY: Objection. 7 A. -- when I was Dean. 8 MS. KAY: I object to the form of the 9 question. With regard to the way it's -- it's stated, 10 I don't know if it's possible to give an answer the way 11 it's phrased, "worked out of New York". 0:11:07 12 Q. When you were appointed Dean of the School of 13 Fine and Performing Arts, were you living and working 14 in New York? 15 A. Before being appointed Dean, yes. 16 Q. Okay. And when did you move to Chicago 17 full-time? 18 A. Beginning -- I think the beginning of August. 19 Q. Okay. 20 A. Or end of -- no, it would've been the last 21 few days of July. 22 Q. Okay. So are you saying that as of the 23 beginning of August 2007 you were in Chicago full-time? 0:11:36 24 A. Yes. 25 Q. Okay. Okay. And then the next paragraph,</p>
Page 11	Page 13
<p>1 Q. Okay. 2 A. -- what anybody had before I got there. 3 Q. Okay. Did she have the same office space 4 that she had had? 5 A. I guess I'm not sure I understand the 6 question. Are you asking whether I reassigned office 7 space? 0:09:50 8 Q. No, I said did she have the same office space 9 that she had when she worked for Dean Lehrer? 10 A. No, she didn't. 11 Q. Okay. And was it you who assigned the office 12 space? 13 A. No. Allison Ratliff, who was a full-time 14 employee, had that office space when I arrived as Dean. 15 and I understand that Lisa Lewandowski occupied it 16 before. 0:10:14 17 Q. The next paragraph, paragraph 24, of the 18 First Amended Complaint that's marked as Exhibit 3. 19 reads, "In August 2007, Dean Eliza Nichols became Ms. 20 Lewandowski's direct supervisor." That's the first 21 sentence of the paragraph. Did I read that correctly? 22 A. Yes. 0:10:37 23 Q. And is that sentence true? 24 A. Yes. 25 Q. Okay. Then the second sentence of that</p>	<p>1 paragraph 25, of the First Amended Complaint that the 2 court reporter marked as Exhibit 3. I'd -- I'd like to 3 take that -- I'm sorry. The first sentence of that 4 reads, "On October 18, 2007, Ms. Lewandowski was 5 scheduled to take a pre-approved Family and Medical 6 Leave Act leave for knee surgery." 0:12:05 7 MS. KAY: I'm going to object to the form. 8 Well, I'm sorry. Ask your question. 9 Q. Is that true? 10 MS. KAY: I'm going to object to the form of 11 the question with regard to pre-approved, but if you 12 can answer, go ahead. 13 A. Well, I was going to say I -- I don't know 14 about pre-approval. I certainly approved her to take a 15 FMLA. 16 Q. And had you approved that before the leave 17 was scheduled to begin? 18 A. Well, there's paperwork that happened before 19 that and I signed all the paperwork, so yes -- 20 Q. Okay. 21 A. -- I approved it. I approved the leave. 0:12:34 22 Q. Okay. So -- 23 A. I think that's -- 24 Q. -- can you explain -- 25 A. -- the pre-approval, but I'm not sure I</p>

Page 14	Page 16
<p>1 understand.</p> <p>2 Q. Can you explain the difficulty you've having</p> <p>3 with the word "pre-approved"?</p> <p>4 A. Well, you just approve it, don't you? So --</p> <p>5 Q. Okay. So, you're saying it was approved.</p> <p>6 A. Yes.</p> <p>7 Q. The -- I'm sorry, that Ms. Lewandowski's</p> <p>8 family and medical leave was approved?</p> <p>9 A. Mm-hmm.</p> <p>10 Q. Yes?</p> <p>11 A. Yes.</p> <p>12 Q. And it was approved before the leave was to</p> <p>13 have begun.</p> <p>14 A. Yes. 0:13:00</p> <p>15 Q. Okay. Okay. And then the next paragraph --</p> <p>16 and -- I'm sorry -- and that you're the person who</p> <p>17 approved the leave.</p> <p>18 A. Yes.</p> <p>19 Q. Okay. The next paragraph, paragraph 26, of</p> <p>20 the First Amended Complaint that the court reporter's</p> <p>21 marked as Exhibit 3, the first sentence of that reads,</p> <p>22 quote, "One day before Ms. Lewandowski was to begin her</p> <p>23 pre-approved, scheduled Family and Medical Leave Act</p> <p>24 leave, Dean Nichols terminate -- terminated Ms.</p> <p>25 Lewandowski's employment", end quote. Other than</p>	<p>1 "The reason defendant gave Ms. Lewandowski for firing</p> <p>2 her was that it allegedly", quote, "could not trust Ms.</p> <p>3 Lewandowski anymore", end quote. First of all, did I</p> <p>4 read that correctly? 0:14:50</p> <p>5 A. You did read it correctly.</p> <p>6 Q. And is that true?</p> <p>7 A. Yes, that is true.</p> <p>8 Q. And the person who said that defendant could</p> <p>9 not trust Ms. Lewandowski anymore, was that you?</p> <p>10 A. Yes.</p> <p>11 Q. You told that to Ms. Lewandowski?</p> <p>12 A. Yes.</p> <p>13 Q. And you told that to her when you were firing</p> <p>14 her?</p> <p>15 A. Yes.</p> <p>16 Q. Okay.</p> <p>17 MR. LEE: Okay, I'm going to ask the court</p> <p>18 reporter to mark as deposition Exhibit 4 -- 0:15:26</p> <p>19 RECORDER: Exhibit 4.</p> <p>20 MR. LEE: Exhibit 4, a document that was</p> <p>21 previously marked as Exhibit 75 to plaintiff's request</p> <p>22 for admissions. It's Bates stamped LL0093 through</p> <p>23 LL0098. And the first page is headed "Complaint by</p> <p>24 Lisa Lewandowski, Assistant to the Dean, about</p> <p>25 impairment behavior by Leonard Lehrer, Dean of School</p>
Page 15	Page 17
<p>1 stumbling over the word, did I read that correctly? 0:13:36</p> <p>2 A. Yes, you did.</p> <p>3 Q. Okay. Is that true?</p> <p>4 A. I don't remember the exact day when I</p> <p>5 terminated her but I am clear that I terminated her and</p> <p>6 that I did terminate her before her FMLA.</p> <p>7 Q. Okay. So, it's true that you had approved</p> <p>8 her family and medical leave?</p> <p>9 A. Mm-hmm.</p> <p>10 Q. It's true that that Family and Medical Leave</p> <p>11 Act leave had been scheduled.</p> <p>12 A. Yes. 0:14:02</p> <p>13 Q. It's true that you terminated her employment,</p> <p>14 correct?</p> <p>15 A. Yes.</p> <p>16 Q. And it's true that you terminated her</p> <p>17 employment before the scheduled Family and Medical</p> <p>18 Leave Act leave was to have begun?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And the only thing that you're unsure</p> <p>21 about in that first sentence is whether it was one day?</p> <p>22 A. Yes. I just don't remember the dates.</p> <p>23 Q. Okay. Okay. And then if you'll look at</p> <p>24 paragraph 27 of the First Amended Complaint that's</p> <p>25 marked as deposition Exhibit 3, does that read, quote,</p>	<p>1 of Fine & Performing Arts and her immediate</p> <p>2 supervisor", and I'll tender a copy to Ms. Kay. I'm</p> <p>3 sorry. 0:16:18</p> <p>4 Q. Dean Nichols, I'm handing you what the court</p> <p>5 reporter's just marked as Exhibit 4, which I just</p> <p>6 described. And my first question to you is, have you</p> <p>7 ever seen this before?</p> <p>8 A. No, I haven't.</p> <p>9 Q. Did anybody ever tell you about the complaint</p> <p>10 that Ms. Lewandowski had made about Dean Lehrer?</p> <p>11 A. No.</p> <p>12 Q. Okay. Was Dean Lehrer your immediate</p> <p>13 predecessor -- 0:16:46</p> <p>14 A. Yes.</p> <p>15 Q. I'm sorry, may -- I didn't quite finish the</p> <p>16 question. Was Dean Lehrer your immediate predecessor</p> <p>17 as Dean of the School of Fine and Performing Arts?</p> <p>18 A. Yes, he was.</p> <p>19 Q. Okay. Did you and Dean Lehrer talk at all</p> <p>20 about the job during the transition period from him to</p> <p>21 you?</p> <p>22 A. We had one meeting.</p> <p>23 Q. Okay. And approximately when was that?</p> <p>24 A. I think it would've been probably June of</p> <p>25 2007, possibly July. I don't know. 0:17:17</p>

Page 18	Page 20
<p>1 Q. Okay.</p> <p>2 A. I can't remember.</p> <p>3 Q. And was that after you had been appointed as</p> <p>4 Dean?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. In addition to that meeting, was there</p> <p>7 any other type of communications between you and Dean</p> <p>8 Lehrer concerning the job as Dean of the School of Fine</p> <p>9 and Performing Arts or the school that you would be the</p> <p>10 Dean of?</p> <p>11 A. No. We only had one meeting.</p> <p>12 Q. Anything beside a meeting? Phone calls,</p> <p>13 emails, letters, any other type of communication? 0:17:43</p> <p>14 A. No. He left me a document with his thoughts</p> <p>15 on things that needed to be followed up on.</p> <p>16 Q. Okay.</p> <p>17 MR. LEE: Okay, I'm going to ask the court</p> <p>18 reporter to mark deposition Exhibit 5, a document that</p> <p>19 previously marked as Exhibit 98 to plaintiff's request</p> <p>20 for admissions. It's a handwritten note dated 8/30/07 0:18:22</p> <p>21 and then there's other handwriting on the document.</p> <p>22 RECORDER: Thank you.</p> <p>23 Q. Let me hand you what the court reporter just</p> <p>24 marked as deposition Exhibit 5, which I just described.</p> <p>25 Have you ever seen this handwritten note before? 0:18:52</p>	<p>1 Q. Does the content of the note look at all</p> <p>2 familiar to you?</p> <p>3 A. No. Doesn't. 0:19:47</p> <p>4 Q. Anything about pick -- picking up Eliza's</p> <p>5 book shelves ASAP, does that sound familiar?</p> <p>6 A. It says "pack", doesn't it? "Please pack</p> <p>7 Eliza's book shelves"?</p> <p>8 Q. I guess you can read the handwriting better</p> <p>9 than I can.</p> <p>10 A. I don't know. It looks like there's a dot</p> <p>11 over the "a", so it's a --</p> <p>12 Q. Okay.</p> <p>13 A. -- little confusing.</p> <p>14 Q. Okay.</p> <p>15 A. I don't know what that means because I just</p> <p>16 had moved in, so I don't know anybody'd be packing my</p> <p>17 book shelves. 0:20:17</p> <p>18 Q. Okay. And anything -- so nothing about the</p> <p>19 note on the top looks familiar to you or the content of</p> <p>20 that?</p> <p>21 A. No.</p> <p>22 Q. Okay. And anything about the content on the</p> <p>23 bottom or the note on the bottom, "Abbie Kelly does not</p> <p>24 report to Lisa -- Lisa Lewandowski." about that look</p> <p>25 familiar to you?</p>
Page 19	Page 21
<p>1 A. I don't think so.</p> <p>2 Q. Do you recognize any of the handwriting on</p> <p>3 it?</p> <p>4 A. No, I don't.</p> <p>5 Q. There is handwriting at the top and then</p> <p>6 there is handwriting at the bottom.</p> <p>7 A. Mm-hmm.</p> <p>8 Q. Do you recognize either the handwriting at</p> <p>9 the top or the handwriting at the bottom?</p> <p>10 A. No.</p> <p>11 Q. Okay. The handwriting at the bottom refers</p> <p>12 to Abbie Kelley.</p> <p>13 A. Mm-hmm.</p> <p>14 Q. Who was Abbie Kelley?</p> <p>15 A. Abbie Kelley at the time was a graduate</p> <p>16 student assistant, part-time assistant in the office. 0:19:20</p> <p>17 Q. In which office?</p> <p>18 A. The Office of the Dean of the School of Fine</p> <p>19 and Performing Arts.</p> <p>20 Q. So, in your office.</p> <p>21 A. Yes.</p> <p>22 Q. Okay. Okay. And nothing about either of</p> <p>23 these handwritings or the note looks at all familiar to</p> <p>24 you?</p> <p>25 A. Doesn't.</p>	<p>1 A. Well, you mean is it a truthful statement?</p> <p>2 Is that -- I don't know what you're trying to get. 0:20:45</p> <p>3 Q. Okay. Was it a truthful statement?</p> <p>4 A. Abbie did not report to Lisa Lewandowski.</p> <p>5 Q. Okay. Was whether or not Abbie reported to</p> <p>6 Lisa Lewandowski or whether or not somebody -- did that</p> <p>7 ever become an issue in your office?</p> <p>8 A. Not that I know of.</p> <p>9 Q. Okay.</p> <p>10 MR. LEE: Let me ask the court reporter to</p> <p>11 mark as Exhibit 6 a document that was previously marked</p> <p>12 as Exhibit 101 on plaintiff's request for admissions. 0:21:18</p> <p>13 Q. And I will tender a copy to Ms. Kay and</p> <p>14 tender what the court reporter marked to you. And what</p> <p>15 the court reporter marked as Exhibit 3 (sic) is a</p> <p>16 two-page document headed "COLUMBIA COLLEGE CHICAGO</p> <p>17 EMPLOYEE REQUEST FOR FAMILY OR MEDICAL LEAVE". Have</p> <p>18 you ever seen this document before? 0:21:46</p> <p>19 A. If it's her MF -- if it's her request that I</p> <p>20 signed and there's my signature on it, I would've seen</p> <p>21 it before, yes.</p> <p>22 Q. Okay. So, on the second page of Exhibit</p> <p>23 number 6, which is Bates stamped LL0127, there is a</p> <p>24 handwriting that appears to say "Eliza Nichols". Is</p> <p>25 that -- first of all, there's printing on the left. Is</p>

Page 22	Page 24
<p>1 that your printing? 0:22:13</p> <p>2 A. I don't think so.</p> <p>3 Q. Okay. Then there is a signature on the</p> <p>4 right. Is that your signature?</p> <p>5 A. Yes. That is my signature.</p> <p>6 Q. Do you remember actually signing this</p> <p>7 document?</p> <p>8 A. Yes, I do.</p> <p>9 Q. Okay. And do you remember approximately when</p> <p>10 you signed this document?</p> <p>11 A. I don't remember. It was three years ago.</p> <p>12 Q. Anything about this document help you</p> <p>13 remember approximately when you signed it? 0:22:39</p> <p>14 A. Well, there's a date. I don't see a date</p> <p>15 next to my name, so I can't verify when I would've</p> <p>16 signed it.</p> <p>17 Q. Okay. Any way to tie down how closely to the</p> <p>18 date on the document of September 25th, 2007 you signed</p> <p>19 this document? 0:23:09</p> <p>20 A. I don't know how I would.</p> <p>21 Q. And as of when you signed the EMPLOYEE</p> <p>22 REQUEST FOR FAMILY AND MEDICAL LEAVE that marked as</p> <p>23 deposition Exhibit 6, you knew that Lisa Lewandowski</p> <p>24 had requested and you had approved family and medical</p> <p>25 leave beginning on October 18th, 2007 and expected to</p>	<p>1 been marked as Exhibit 6 and the doctor's Certification</p> <p>2 of Health Care Provider which is marked as Exhibit 7,</p> <p>3 looking at them together, that helps you remember</p> <p>4 whether or not you've ever seen Exhibit 7 before? 0:25:29</p> <p>5 A. No.</p> <p>6 MR. LEE: Okay. I'm going to ask the court</p> <p>7 reporter to mark as deposition Exhibit 8 an Exhibit</p> <p>8 which was previously marked as request for admissions</p> <p>9 Exhibit number 115 and I'll tender a copy to Ms. Kay. 0:25:54</p> <p>10 MS. KAY: Thanks.</p> <p>11 Q. And it's a printout of an email. The first</p> <p>12 one from Lisa Lewandowski to G. Mora dated Friday,</p> <p>13 October 19, 2007 at 8:35 a.m. Have you ever seen the</p> <p>14 -- any of these emails before, that have been marked as</p> <p>15 Exhibit number 8? 0:26:23</p> <p>16 A. I don't believe I've seen them before and I'm</p> <p>17 not copied on them.</p> <p>18 Q. The very first email, which starts, "Dear</p> <p>19 Gabina", begins, "My medical leave had been approved by</p> <p>20 my supervisor". That was true, correct?</p> <p>21 A. Yes.</p> <p>22 Q. You approved the medical leave. And then</p> <p>23 there's a reply from Mora, Gabina right under that? 0:26:55</p> <p>24 A. Mm-hmm.</p> <p>25 Q. Who's -- who -- who is Gabina Mora?</p>
Page 23	Page 25
<p>1 continue until approximately October 29th, 2007.</p> <p>2 A. Yes. 0:23:38</p> <p>3 Q. Okay.</p> <p>4 MR. LEE: I'm going to ask the court reporter</p> <p>5 to mark as deposition Exhibit 7 a document that was</p> <p>6 previously marked as request for admissions Exhibit</p> <p>7 102. As soon as I can pull it out. And I will tender</p> <p>8 a copy to Ms. Kay.</p> <p>9 Q. And that's --</p> <p>10 0:24:07</p> <p>11 MS. KAY: Thank you.</p> <p>12 Q. -- a document that's Bates stamped LL0128</p> <p>13 through LL0131 headed "Columbia College Chicago</p> <p>14 Certification of Health Care Provider." Ask you please</p> <p>15 look at that document and let me know if you've ever</p> <p>16 seen it before.</p> <p>17 A. I don't recall. 0:24:51</p> <p>18 Q. Okay. If you go back one Exhibit to Exhibit</p> <p>19 6, the EMPLOYEE REQUEST FOR FAMILY AND MEDICAL LEAVE,</p> <p>20 do you recall whether or not as you were reviewing</p> <p>21 and/or approving that request you saw anything that was</p> <p>22 doctor's certification?</p> <p>23 A. I don't recall.</p> <p>24 Q. Okay. Is there anything about looking at the</p> <p>25 EMPLOYEE REQUEST FOR FAMILY AND MEDICAL LEAVE which has</p>	<p>1 A. She is the Director of Benefits for Columbia</p> <p>2 College Chicago working in the Human Resources</p> <p>3 department.</p> <p>4 Q. Okay.</p> <p>5 MR. LEE: Okay. Let me ask the court</p> <p>6 reporter to mark as deposition Exhibit 9 a document</p> <p>7 that was previously marked as request for admissions</p> <p>8 Exhibit number 127. I'm sorry, is request for 0:27:41</p> <p>9 admission Exhibit number 134. Did I give you the right</p> <p>10 one?</p> <p>11 MS. KAY: 134? Yes. Is that what --</p> <p>12 MR. LEE: Yeah. I'm sorry.</p> <p>13 MS. KAY: It's all right.</p> <p>14 MR. LEE: And --</p> <p>15 MS. KAY: This is number 9?</p> <p>16 MR. LEE: It's number 9. And it's headed</p> <p>17 "Out of Office AutoReply". 0:28:03</p> <p>18 Q. Do you remember putting in -- Out of Office</p> <p>19 AutoReply or having an Out of Office AutoReply on your</p> <p>20 Columbia College email stating, "I will be in the</p> <p>21 office beginning October" -- I'm sorry -- "August 2,</p> <p>22 2007" and going on from there, as in Exhibit number 9?</p> <p>23 A. I don't remember this.</p> <p>24 Q. Okay. Is there any way to check on this that</p> <p>25 you know of? 0:28:34</p>

Page 26	Page 28
<p>1 A. I don't know.</p> <p>2 MR. LEE: Okay. I'm going to ask the court</p> <p>3 reporter to mark as deposition Exhibit 10 a document</p> <p>4 that was previously marked as request for admission</p> <p>5 Exhibit 100 and it's Bates stamped LL0115 and LL0116,</p> <p>6 and I will tender a copy to Ms. Kay. 0:29:12</p> <p>7 MS. KAY: Thank you.</p> <p>8 Q. Would you please take a look at what the</p> <p>9 court reporter just marked as deposition Exhibit 10,</p> <p>10 which is an exchange of emails, and have you ever seen</p> <p>11 this exchange of emails marked as deposition Exhibit 10</p> <p>12 before? 0:29:39</p> <p>13 A. I have to read it first.</p> <p>14 Q. Sure.</p> <p>15 A. I don't recall getting this, no. 0:30:29</p> <p>16 Q. Okay. On sort of the bottom two-thirds of</p> <p>17 the first page of deposition Exhibit 10, there's what</p> <p>18 looks like an email from Lisa Lewandowski to Patricia</p> <p>19 Olalde. Did -- were any of the concerns in that email</p> <p>20 ever shared with you?</p> <p>21 A. Lisa told me she was frustrated. 0:30:57</p> <p>22 Q. Do you remember approximately when Lisa told</p> <p>23 you that?</p> <p>24 A. I don't. I scheduled a meeting to talk to</p> <p>25 her about it.</p>	<p>1 that she be responsible for keeping things organized in</p> <p>2 my office. And that she do things according to my</p> <p>3 assignments to her. 0:32:38</p> <p>4 Q. Anything else? That's it? Sorry, can you</p> <p>5 answer out loud, please?</p> <p>6 A. Oh, I'm sorry. Yes, that is it.</p> <p>7 Q. Okay. And did Lisa respond to that in those</p> <p>8 meetings?</p> <p>9 A. Lisa made it clear that she had had a lot of</p> <p>10 liberty in her position as Assistant to Dean Lehrer,</p> <p>11 and I explained to her that that was not my style of</p> <p>12 leadership and that I needed very specific relationship</p> <p>13 with my Assistant to the Dean and that I expected her</p> <p>14 to work with me as I was a different person. 0:33:15</p> <p>15 Q. Was anybody in any of these meetings besides</p> <p>16 you and Lisa Lewandowski?</p> <p>17 A. I don't know.</p> <p>18 Q. Any --</p> <p>19 A. I can't remember.</p> <p>20 Q. Anything that can help you remember?</p> <p>21 A. I -- you know, I'm a very consistent person,</p> <p>22 and I think if you asked anybody in my office what my</p> <p>23 expectations are, you would get the same answer from</p> <p>24 every single person. Whether I expressed that in a</p> <p>25 staff meeting with more than Lisa I can't recall at</p>
Page 27	Page 29
<p>1 Q. How far in advance of your choosing to</p> <p>2 terminate her employment was that meeting supposed to</p> <p>3 be?</p> <p>4 A. Oh, I had several meetings with Lisa about</p> <p>5 her role, so I -- and I don't know.</p> <p>6 Q. Do you have any way to tie down when those</p> <p>7 meetings occurred? 0:31:25</p> <p>8 A. Well, I started the job beginning of August,</p> <p>9 and she left mid-October, so between October and the</p> <p>10 beginning of August would've had several meetings to</p> <p>11 discuss her role.</p> <p>12 Q. Okay. Do you have any way to tie it down any</p> <p>13 better than the beginning of August to the middle of</p> <p>14 October?</p> <p>15 A. No. It was a very busy time.</p> <p>16 Q. What was discussed in those meetings?</p> <p>17 A. My expectations of her, what I expected from</p> <p>18 an Assistant to the Dean, how to work with me. My</p> <p>19 preferred working style. What her assignments would</p> <p>20 be. What I expected from her. 0:32:07</p> <p>21 Q. Okay. And what was your preferred working</p> <p>22 style?</p> <p>23 A. That I have an assistant who assists me.</p> <p>24 That I do not have an assistant who makes decisions for</p> <p>25 me. That she keep my calendar. that she file my files,</p>	<p>1 this point. 0:33:42</p> <p>2 Q. Okay. My question was actually, was there</p> <p>3 anybody else in those meetings besides you and Lisa?</p> <p>4 A. And I said I don't remember.</p> <p>5 Q. Okay. And then I asked you is there anything</p> <p>6 that could help you remember.</p> <p>7 A. And I can't think of anything.</p> <p>8 Q. Okay. Okay. Did you do anything like make a</p> <p>9 memo to file about any of these meetings with Lisa?</p> <p>10 A. I don't recall.</p> <p>11 Q. Okay. Did you send off an email confirming</p> <p>12 anything about any of these meetings with Lisa? 0:34:11</p> <p>13 A. I can't recall.</p> <p>14 Q. Okay. As far as you're sitting here there's</p> <p>15 nothing that you can think of that would help you</p> <p>16 recall whether or not anybody else was in the meetings</p> <p>17 with you and Lisa?</p> <p>18 A. Not that I can think of, no.</p> <p>19 Q. Okay. So, there's your version of what</p> <p>20 happened in those meetings and then there's Lisa's</p> <p>21 version of what happened in those meetings, correct?</p> <p>22 MS. KAY: Object to the form of the question.</p> <p>23 It's argumentative. 0:34:37</p> <p>24 Q. Please answer.</p> <p>25 MS. KAY: You can answer. Can you repeat the</p>

Page 30	Page 32
<p>1 question, please?</p> <p>2 MR. LEE: Sure.</p> <p>3 Q. There's your version of what happened in</p> <p>4 those meetings and Lisa's version of what happened in</p> <p>5 those meetings, correct?</p> <p>6 MS. KAY: Let me also object on the basis of</p> <p>7 foundation with regard to what Lisa's version is. I</p> <p>8 don't know that there's been anything presented to this</p> <p>9 witness regarding what Lisa's version is.</p> <p>10 MR. LEE: Okay.</p> <p>11 MS. KAY: So there's no foundation.</p> <p>12 Q. Please answer.</p> <p>13 MS. KAY: If you can, answer --</p> <p>14 A. Well, I don't think I can since I don't know</p> <p>15 what her version is. 0:35:05</p> <p>16 Q. Okay.</p> <p>17 A. I told you what mine is, so I can verify --</p> <p>18 Q. Okay.</p> <p>19 A. -- what mine is.</p> <p>20 Q. And there's no witnesses to these meetings</p> <p>21 other than you and Lisa?</p> <p>22 A. And I said I don't recall.</p> <p>23 Q. And there's nothing that can help you</p> <p>24 remember right now?</p> <p>25 A. And I said that I didn't think so.</p>	<p>1 A. And Lisa and I met and I told her what I</p> <p>2 expected from an Assistant --</p> <p>3 Q. Okay. And --</p> <p>4 A. -- to the Dean.</p> <p>5 Q. -- when was that? 0:36:35</p> <p>6 A. I can't recall. It would've been June or</p> <p>7 July of 2007.</p> <p>8 Q. And where was that?</p> <p>9 A. That meeting was held at Columbia College</p> <p>10 Chicago. It was held on the ninth floor in Room 908 in</p> <p>11 the conference room.</p> <p>12 Q. Okay. Were you and Lisa the only people in</p> <p>13 that meeting?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. Approximately how long did that</p> <p>16 meeting last? 0:37:00</p> <p>17 A. No more than half an hour.</p> <p>18 Q. Okay. Is there anything that memorializes</p> <p>19 that meeting, like a memo to file or anything else?</p> <p>20 A. Yes. I wrote a memo to file.</p> <p>21 Q. Okay. And does that memo to file still</p> <p>22 exist?</p> <p>23 A. Yes, it does.</p> <p>24 Q. Okay. Have you turned it over to your</p> <p>25 attorney?</p>
Page 31	Page 33
<p>1 Q. Okay. Do you remember approximately how many</p> <p>2 such meetings there were?</p> <p>3 A. I met with Lisa several times a week. I saw</p> <p>4 her every day. There were many occasions for us to</p> <p>5 talk. 0:35:34</p> <p>6 Q. Okay. And are you saying that when you saw</p> <p>7 her every day you would set forth your expectations?</p> <p>8 A. No, I'm just saying that I don't know whether</p> <p>9 it was always in a formal meeting or whether it was</p> <p>10 informally.</p> <p>11 Q. Okay. Do you have any way to -- to come with</p> <p>12 a number, an accurate number, an accurate approximate</p> <p>13 number, of how many times you communicated your</p> <p>14 expectations to Lisa?</p> <p>15 A. I don't think I could come up with an</p> <p>16 approximate number, but I would venture that there were</p> <p>17 at least three or four occasions when I would've made</p> <p>18 it clear to Lisa. 0:36:07</p> <p>19 Q. Okay. So, three or four occasions sometime</p> <p>20 between August 1st and when Lisa's employment was</p> <p>21 terminated in roughly mid-October?</p> <p>22 A. Well, the first occasion when I would've made</p> <p>23 it clear to Lisa was prior to taking on the position</p> <p>24 when I had been offered it.</p> <p>25 Q. Mm-hmm.</p>	<p>1 A. Yes, I have.</p> <p>2 Q. Okay.</p> <p>3 MR. LEE: Okay. I request that that be</p> <p>4 produced. Okay. 0:37:27</p> <p>5 Q. Do you remember any of the other meetings</p> <p>6 that you had with Lisa in which you communicated your</p> <p>7 expectations to her?</p> <p>8 A. I recall her bursting into my office on</p> <p>9 several occasions very frustrated or coming in when we</p> <p>10 had a meeting to discuss something particular and her</p> <p>11 blurting things out to me and me saying to her I expect</p> <p>12 you to make an appointment to talk to me about these</p> <p>13 things. We're having a meeting about something else 0:38:00</p> <p>14 right now. If you want to take to me about any</p> <p>15 questions you have, please set up a meeting and make it</p> <p>16 clear that that's what the meeting is going to be</p> <p>17 about.</p> <p>18 Q. Okay. Do you remember when these occasions</p> <p>19 were?</p> <p>20 A. Throughout the fall.</p> <p>21 Q. Okay. And do you remember how many there</p> <p>22 were, occasions like this?</p> <p>23 A. At least three -- or five.</p> <p>24 Q. Okay. Were there other people in the office</p> <p>25 when this happened? 0:38:27</p>

Page 34	Page 36
<p>1 A. I don't recall.</p> <p>2 Q. Anything that can help you recall?</p> <p>3 A. No.</p> <p>4 Q. Is there anything else you remember about any</p> <p>5 of these meetings with Lisa in which you communicated</p> <p>6 your expectations to her?</p> <p>7 A. No.</p> <p>8 Q. Okay. Is there anything that could help you</p> <p>9 recall more about these meetings with Lisa in which you</p> <p>10 communicated your expectations to her?</p> <p>11 A. I don't think so. 0:38:52</p> <p>12 Q. Is there anything that could help you tie</p> <p>13 down the number of meetings you had with Lisa in which</p> <p>14 you communicated your expectations to her?</p> <p>15 A. I don't think so.</p> <p>16 Q. Okay. And is there anything that could help</p> <p>17 you remember when, other than the first meeting before</p> <p>18 you took over, the meeting in Room 9 -- 908, other than</p> <p>19 that meeting, is there anything that can help you</p> <p>20 remember where those meetings were? 0:39:18</p> <p>21 A. I'm not sure I understand the question.</p> <p>22 Q. Okay. Out of this -- this series of meetings</p> <p>23 that you say you had with Lisa in which you</p> <p>24 communicated your expectations, you testified that</p> <p>25 there was one before you took over in Room 908 where</p>	<p>1 personnel file? I'm sorry. Was this memo then put in</p> <p>2 Lisa's personnel file?</p> <p>3 A. Yes.</p> <p>4 Q. And does this memo basically set out your</p> <p>5 side of the story as to the reason that Lisa</p> <p>6 Lewandowski was terminated?</p> <p>7 A. I'm not sure what you refer to as the side of</p> <p>8 the story, but it did document my conversations with</p> <p>9 Lisa. 0:41:11</p> <p>10 Q. And did it document the reason --</p> <p>11 A. My -- my expectations.</p> <p>12 Q. Did it document the reason that you say was</p> <p>13 the reason that you terminated Lisa's employment?</p> <p>14 A. I actually don't recall.</p> <p>15 MS. KAY: I'm going to object to the form of</p> <p>16 the question, but if you --</p> <p>17 A. I don't recall.</p> <p>18 Q. Okay. When was the last time you saw this</p> <p>19 memo?</p> <p>20 A. I saw it yesterday but I didn't read it very</p> <p>21 thoroughly. 0:41:34</p> <p>22 Q. Okay. Okay. And were you located when you</p> <p>23 saw the memo?</p> <p>24 WITNESS: Trying to remember where your</p> <p>25 office is --</p>
Page 35	Page 37
<p>1 you and Lisa were -- is there anything that could --</p> <p>2 well, first of all, do you remem -- I withdraw that.</p> <p>3 Is there anything that can help you remember when any</p> <p>4 of these other meetings were? 0:39:47</p> <p>5 A. No. I don't think so.</p> <p>6 Q. Okay. And is there anything that can help</p> <p>7 you remember whether or not anybody besides you and</p> <p>8 Lisa were in any of these other meetings?</p> <p>9 A. I don't think so.</p> <p>10 Q. And I may have asked this, and I apologize if</p> <p>11 I'm repeating myself, is there anything memorializing</p> <p>12 any of these other meetings like a memo to file?</p> <p>13 A. I think it would be the same memo to file</p> <p>14 that I've already given to Ms. Kay. 0:40:15</p> <p>15 Q. Okay. This memo to file, when was that</p> <p>16 created roughly?</p> <p>17 A. It would've been created mid-October.</p> <p>18 Q. Roughly simultaneously with your -- your</p> <p>19 choosing to terminate Lisa's employment at Columbia?</p> <p>20 A. Yes.</p> <p>21 Q. And do you recall if this memo to file was</p> <p>22 created before or after you terminated Lisa's</p> <p>23 employment with Columbia? 0:40:44</p> <p>24 A. No, I don't remember.</p> <p>25 Q. Okay. And was this file then put in Lisa's</p>	<p>1 Q. Was -- was it at Ms. Kay's office?</p> <p>2 A. No. Columbia College Chicago, eighth floor.</p> <p>3 WITNESS: And I'm looking at you because I</p> <p>4 don't know the office number.</p> <p>5 MS. KAY: Okay.</p> <p>6 Q. Okay. So, why did you terminate -- why did</p> <p>7 you -- I'm sorry, withdraw that. Why did you choose to 0:42:12</p> <p>8 terminate Ms. Lewandowski's employment at Columbia</p> <p>9 College?</p> <p>10 A. Because she lied to me on several occasions</p> <p>11 and she was not doing the job that I expected her to do</p> <p>12 as my assistant.</p> <p>13 Q. Okay. Are those two different reasons or one</p> <p>14 big reason?</p> <p>15 A. One big reason.</p> <p>16 Q. Okay. You said she lied to you on several</p> <p>17 occasions. What were these lies? 0:42:40</p> <p>18 A. She lied to me about contacting the chairs.</p> <p>19 She lied to me about a meeting that she had with</p> <p>20 Allison Ratliff. She lied to me about documents. I</p> <p>21 can't remember the details of it, but she had prepared</p> <p>22 something that she hadn't prepared. 0:43:11</p> <p>23 Q. Anything else?</p> <p>24 A. Not that I remember.</p> <p>25 Q. Okay. And did you put what you thought about</p>

Page 38	Page 40
<p>1 the -- these lies that you mentioned in this memo that</p> <p>2 you mentioned?</p> <p>3 A. I believe I did.</p> <p>4 Q. Okay. What was it about the chairs? And --</p> <p>5 and by chairs, you mean chair of a department?</p> <p>6 A. Chairs of departments.</p> <p>7 Q. Not a piece of furniture. 0:43:36</p> <p>8 A. No, that's true.</p> <p>9 Q. Okay.</p> <p>10 A. I had made it clear to Ms. Lewandowski that I</p> <p>11 did not want her communicating with the chairs unless I</p> <p>12 explicitly asked her to. And I found that she had</p> <p>13 communicated information to the chairs that I had not</p> <p>14 authorized her to communicate. And when I asked her</p> <p>15 why she did that, she said that she had been solicited</p> <p>16 from the chairs, that she had only done it in response</p> <p>17 to chairs asking for that information. When I asked 0:44:09</p> <p>18 her why she would do that even though she had explicit</p> <p>19 orders from me not to do that, she said she was -- she</p> <p>20 didn't know but that they'd asked for it. Then when I</p> <p>21 asked the chairs, they said that they had not solicited</p> <p>22 that information, that she had contacted them.</p> <p>23 Q. And -- and what's the information you're</p> <p>24 talking about? 0:44:32</p> <p>25 A. Information about budgeting -- budgeting and</p>	<p>1 I don't think she's testified that it was necessarily</p> <p>2 email. She said she doesn't know. 0:45:36</p> <p>3 MR. LEE: Okay. I -- I -- that's a fair</p> <p>4 point. Withdraw the question.</p> <p>5 Q. Did this information go to all the chairs of</p> <p>6 all the departments or only certain chairs of certain</p> <p>7 departments?</p> <p>8 MS. KAY: I'm going to object to the form</p> <p>9 again. I think you've referred to it as an email, and</p> <p>10 again there's no foundation that it was necessarily</p> <p>11 email.</p> <p>12 MR. LEE: I thought I said information, but</p> <p>13 I'll --</p> <p>14 MS. KAY: I'm sorry.</p> <p>15 MR. LEE: -- try again.</p> <p>16 MS. KAY: If you did, then it's my error.</p> <p>17 I'm sorry.</p> <p>18 MR. LEE: Okay.</p> <p>19 Q. Did this information go to all the chairs of</p> <p>20 all the departments in your school or just to some of</p> <p>21 the chairs of the departments in your school? 0:46:06</p> <p>22 A. I don't know if they went to all --</p> <p>23 Q. Okay.</p> <p>24 A. -- if this information went to all.</p> <p>25 Q. How did you find out about this information</p>
Page 39	Page 41
<p>1 hiring lines of full-time faculty.</p> <p>2 Q. What sort of information about budgeting?</p> <p>3 A. Whether positions were open and whether they</p> <p>4 were funded.</p> <p>5 Q. Okay. Was that the sort of information the</p> <p>6 chair of a department would have legitimate access to?</p> <p>7 A. No, it's the Dean's decision to determine</p> <p>8 where positions are going to go and whether or not a</p> <p>9 department is going to get a position or get funding</p> <p>10 for a position. It's information that a Dean has, that</p> <p>11 a Dean can choose to share with a chair. 0:45:09</p> <p>12 Q. And do you know how this information was</p> <p>13 shared?</p> <p>14 A. I don't know that.</p> <p>15 Q. I mean, email, face --</p> <p>16 A. I --</p> <p>17 Q. -- to face conversation?</p> <p>18 A. I think it was email.</p> <p>19 Q. Okay.</p> <p>20 A. Unless it was a phone call. I really don't</p> <p>21 know.</p> <p>22 Q. Okay. Do you know if this was like a blast</p> <p>23 email to all the chairs or all the departments or just</p> <p>24 went to a specific chair or -- or anything like that?</p> <p>25 MS. KAY: Object to the form of the question.</p>	<p>1 allegedly being sent to some or all the chairs of the</p> <p>2 departments in your school?</p> <p>3 A. Because a few chairs contacted me saying that</p> <p>4 they had positions and wanting to verify with me that</p> <p>5 that was the case. And I asked them how they got that</p> <p>6 information and they said they'd gotten that from Lisa. 0:46:33</p> <p>7 Q. Okay. And did you ask them whether or not</p> <p>8 they had solicited that information.</p> <p>9 A. After Lisa -- after I confronted Lisa and she</p> <p>10 said that they had asked her for it and that they had</p> <p>11 taken initiative, I did ask them.</p> <p>12 Q. Okay. Would it have been appropriate or</p> <p>13 inappropriate for a chair of a department to have asked</p> <p>14 Lisa for that information?</p> <p>15 A. It would've been inappropriate given that I</p> <p>16 had spoken to all of the chairs and asked them not to</p> <p>17 go through my assistant but to go directly to me. 0:47:00</p> <p>18 Q. Okay. And so the chairs knew that it was</p> <p>19 inappropriate --</p> <p>20 A. I believe --</p> <p>21 Q. -- for them to ask Lisa for that information?</p> <p>22 A. Yes.</p> <p>23 Q. And then you asked one or more chairs if they</p> <p>24 had asked Lisa for that information.</p> <p>25 A. Yes.</p>

<p style="text-align: right;">Page 42</p> <p>1 Q. Okay. And knowing that it was inappropriate 2 for them to do so, they said to you, no, we had not, I 3 take it. 4 MS. KAY: Can you repeat the question, 5 please? 0:47:25 6 MR. LEE: Sure. 7 Q. The chairs had been informed by you that it 8 would be inappropriate that -- for them to ask Lisa for 9 such information. And then you asked them if they had 10 asked Lisa for such information. Correct? 11 A. I'm having difficulty answering the question 12 because it sounds like a cause and effect question. 13 And it's not a cause and effect -- 14 MS. KAY: If you don't understand it or you 15 can't answer -- 16 WITNESS: I don't -- 17 MS. KAY: -- it, tell him you don't 18 understand. 19 Q. Okay. I just want to make sure I understand 20 the time sequence. You told the chairs that it would 21 be -- or that they should not ask Lisa directly for 22 this information but should go through you. Is that 23 correct? 0:48:00 24 A. Well, when I came in as a new Dean -- 25 Q. Mm-hmm.</p>	<p style="text-align: right;">Page 44</p> <p>1 Q. Okay. So you asked two of the -- 2 A. -- probably three. 3 Q. -- eight? 4 A. Two or three -- 5 Q. Okay. 6 A. -- of the eight. 7 Q. So you asked two or three of the eight 8 chairs. 9 A. Mm-hmm. 10 Q. And at the point you had asked them, you had 11 previously told them that you did not want them talking 12 to your staff but talking to you directly. 0:49:22 13 A. That's correct. 14 Q. Okay. And when you asked them if they had 15 talked to your staff, they said no, they had not. 16 A. Correct. 17 Q. Okay. And then you asked Lisa whether she 18 had initiated that or the chairs had initiated that. 19 Correct? 20 A. Well, it's your "and then" that makes it a 21 different sequence. 22 Q. Okay. At some point do you ask Lisa whether 23 she had initiated or the chairs had initiated that 24 exchange of information? 0:49:51 25 A. That's correct.</p>
<p style="text-align: right;">Page 43</p> <p>1 A. -- I informed the chairs -- 2 Q. Mm-hmm. 3 A. -- of what my style was and that I wanted to 4 work with them directly. That I did not want my staff 5 mediating or interpreting, that I needed a direct 6 rapport with them. So, on all information, they should 7 have come to me. Wasn't just this information. 0:48:30 8 Q. Okay. And that's something you meant 9 seriously. 10 A. Yes. 11 Q. And you communicated that you meant that 12 seriously. 13 A. Yes. 14 Q. And then sometime after this, you asked some 15 of the chairs if they had requested budgeting 16 information from Lisa Lewandowski. 17 A. I asked them if she had contacted them or 18 whether they had contacted her. 19 Q. Okay. And how many chairs did you ask 20 actually? 0:48:54 21 A. I can't recall how many. I -- I can think of 22 two. 23 Q. Okay. How many chairs were there in the -- 24 the School of Fine and Performing Arts at that time? 25 A. There were eight.</p>	<p style="text-align: right;">Page 45</p> <p>1 Q. Okay. And Lisa said that the chairs had 2 initiated it. 3 A. Yes, that's correct. 4 Q. And the chairs said that Lisa had initiated 5 it. 6 A. That's correct. 7 Q. Okay. And when the chairs told you that Lisa 8 -- that -- I withdraw that. And when -- and -- and you 9 chose to believe the chairs' version rather than Lisa's 10 version. 11 A. Yes. 0:50:16 12 Q. Okay. And when the chairs told you that Lisa 13 had initiated it, they had previously been told by you 14 seriously that you wanted them to communicate directly 15 with you and not with your staff. 16 A. That's correct. 17 Q. Okay. So, had the chairs said that Lisa -- 18 that they initiated that communication rather than 19 Lisa. the chairs would be admitting to you that they 20 were disobeying your serious instructions, correct? 0:50:44 21 A. That's correct. 22 Q. Okay. And under those circumstances, you 23 chose to believe the chairs rather than to believe 24 Lisa. 25 A. Yes, that's correct.</p>

Page 46	Page 48
<p>1 Q. Okay. Is there anything else about the</p> <p>2 budgeting information with the chairs that you believe</p> <p>3 was a lie on Lisa's part?</p> <p>4 A. No.</p> <p>5 Q. Okay. You said something about a meeting</p> <p>6 with Allison, that you said was a lie on Lisa's part. 0:51:14</p> <p>7 A. Yes. When I asked Lisa to make sure that the</p> <p>8 office was organized to pick up any slack when she was</p> <p>9 going to be on her family medical leave, I asked her to</p> <p>10 meet with the staff in the office to go over anything</p> <p>11 that could come up while she was gone. And she did not</p> <p>12 seem to be making any attempt to actually have the</p> <p>13 meeting and to convey that information. And when I 0:51:53</p> <p>14 asked her -- then she -- she told me that she was going</p> <p>15 to have a meeting. And when I came back later that</p> <p>16 day, I said did you have the meeting. And she said I</p> <p>17 could not have the meeting because Allison was called</p> <p>18 away by Jim McDonald, the Associate Dean. And I -- I</p> <p>19 did not believe her because I had made it clear to</p> <p>20 everyone in the office that she was going to be leaving</p> <p>21 soon and that it was important that she convey any</p> <p>22 information she had to the people in the office. And 0:52:24</p> <p>23 so I asked Jim McDonald, the Associate Dean, if he had</p> <p>24 indeed called Allison Ratliff away when she was meeting</p> <p>25 with Lisa Lewandowski, and he said he had not.</p>	<p>1 A. It would've been before she was scheduled to</p> <p>2 leave on Family and Medical Leave Act.</p> <p>3 Q. Do you know how far before?</p> <p>4 A. I don't.</p> <p>5 Q. Are we talking weeks, days, hours? 0:53:54</p> <p>6 A. I don't recall.</p> <p>7 Q. Any way to tie it down?</p> <p>8 A. I don't think so.</p> <p>9 Q. Does the memo that you talked about earlier,</p> <p>10 does that tie it down as far as you remember?</p> <p>11 A. I don't recall.</p> <p>12 Q. Okay. And also, this thing about the -- the</p> <p>13 supposed lie about the chairs and the budgeting</p> <p>14 information, do you recall when that happened?</p> <p>15 A. I don't recall. 0:54:18</p> <p>16 Q. Do you recall how far before Lisa's scheduled</p> <p>17 family and medical leave that was?</p> <p>18 A. I don't.</p> <p>19 Q. Okay. Is there anything that would help you</p> <p>20 remember that?</p> <p>21 A. I can't think of anything.</p> <p>22 Q. Okay. Okay. And then the -- the third thing</p> <p>23 you mentioned that you said -- you claimed was a lie on</p> <p>24 Lisa's behalf was documents be -- not being prepared,</p> <p>25 what was that about? 0:54:44</p>
Page 47	Page 49
<p>1 Q. Was -- what was Jim McDonald's position?</p> <p>2 A. Associate Dean.</p> <p>3 Q. You were his boss.</p> <p>4 A. Yes. 0:52:51</p> <p>5 Q. Okay. Was Jim McDonald one of the people</p> <p>6 that you made clear to that it was important that Lisa</p> <p>7 meet with Allison to arrange for matters while she was</p> <p>8 going to be out on family and medical leave?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. And you did that before you checked</p> <p>11 about Jim McDonald supposedly calling Allison away from</p> <p>12 a meeting with Lisa.</p> <p>13 A. Yes.</p> <p>14 Q. Okay. So, had Jim McDonald said to you at</p> <p>15 that point, yes, I did call Allison away from a meeting</p> <p>16 with Lisa, he would have been going against your having</p> <p>17 said that it was very important for Allison to meet</p> <p>18 with Lisa. 0:53:28</p> <p>19 A. That's correct.</p> <p>20 Q. Okay. And you chose to believe Jim McDonald</p> <p>21 rather than to believe Lisa under those circumstances.</p> <p>22 A. Yes.</p> <p>23 Q. And do you recall when this happened?</p> <p>24 A. A date?</p> <p>25 Q. Roughly.</p>	<p>1 A. I remember on one occasion asking her to</p> <p>2 prepare a memo from me about the chairs' reappointment.</p> <p>3 They're -- they serve on three-year terms. And I</p> <p>4 checked in with the college of how the other deans did</p> <p>5 it and how it was done at the college. There's three</p> <p>6 schools. I'm the dean of one school. And found out</p> <p>7 that the two other deans did it differently than how</p> <p>8 Dean Lehrer had done it. I asked Lisa to do it the 0:55:17</p> <p>9 same way that the other deans did it. And she handed</p> <p>10 me something that I didn't understand and asked her if</p> <p>11 this was a template I had asked her to prepare and she</p> <p>12 said yes. And it turned out to be a mishmash of things</p> <p>13 that she had created that was not what I had asked her</p> <p>14 to do and she lied about that. 0:55:47</p> <p>15 Q. What -- what's the lie part?</p> <p>16 A. The lie was she said that she had done what</p> <p>17 I'd asked her to and then it turned out that she hadn't</p> <p>18 done what I had asked her to.</p> <p>19 Q. And what you asked her to do was to do -- do</p> <p>20 it the same way the other two deans did it. Correct?</p> <p>21 A. That's correct.</p> <p>22 Q. Okay. And did you compare what Lisa had done</p> <p>23 to what the other two deans had done?</p> <p>24 A. Yes, I did.</p> <p>25 Q. Okay. And in what way did they vary? 0:56:13</p>

Page 50	Page 52
<p>1 A. They were completely different.</p> <p>2 Q. And did you sit down with Lisa and point out</p> <p>3 the differences or --</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And what did Lisa say in response to</p> <p>6 that?</p> <p>7 A. She seemed unable to explain to me what she</p> <p>8 had done, and it took a long, long time for her to</p> <p>9 finally tell me that she hadn't done what I'd asked her</p> <p>10 to do. 0:56:40</p> <p>11 Q. Okay. And when was this?</p> <p>12 A. The day, I have no idea.</p> <p>13 Q. How long before Lisa was to go on family</p> <p>14 medical?</p> <p>15 A. I don't recall.</p> <p>16 Q. Are -- are we talking months or days or</p> <p>17 weeks?</p> <p>18 A. I can't recall.</p> <p>19 Q. Is there anything that can help you recall?</p> <p>20 A. Not that I know of.</p> <p>21 Q. Okay. So, other than the chairs and the</p> <p>22 budgeting information, the meeting with Allison, and</p> <p>23 this document template, is there anything else that you</p> <p>24 consider was a lie that Lisa said to you? 0:57:11</p> <p>25 A. Not that I can recall right now.</p>	<p>1 Q. Okay. And there's nothing that can help you</p> <p>2 recall?</p> <p>3 A. Not that I can think of.</p> <p>4 Q. How many people currently work in the office</p> <p>5 of -- of the Dean of School of Fine and Performing</p> <p>6 Arts?</p> <p>7 A. Ten.</p> <p>8 Q. Okay. And at the time Lisa was terminated,</p> <p>9 immediately prior to Lisa's termination, so Lisa was</p> <p>10 still an employee, how many people worked in the</p> <p>11 Office of the Dean of the School of Fine and Performing</p> <p>12 Arts? 0:58:38</p> <p>13 A. Four.</p> <p>14 Q. So, the office has increased by 250%?</p> <p>15 A. I'm not good at percentages --</p> <p>16 Q. Okay.</p> <p>17 A. -- but it's increased.</p> <p>18 Q. It's gone from four to 10. Yes?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And what are the current positions in</p> <p>21 the Office of the Dean of the School of Fine and</p> <p>22 Performing Arts?</p> <p>23 A. There is -- well, I guess one question is,</p> <p>24 are open positions included as positions? I mean,</p> <p>25 there's, you know, people who have left. 0:59:08</p>
Page 51	Page 53
<p>1 Q. Is there anything that can help you recall?</p> <p>2 A. Not that I know of.</p> <p>3 Q. Okay. Was there any other reason that you</p> <p>4 chose to terminate Lisa's employment with Columbia</p> <p>5 College?</p> <p>6 A. No.</p> <p>7 Q. The -- the three things, the chairs and the</p> <p>8 budgeting information, the meeting with Allison, and</p> <p>9 the document -- that's the entirety of the reasons that</p> <p>10 you chose to terminate Lisa's employment with Columbia</p> <p>11 College? 0:57:40</p> <p>12 A. I chose to terminate her relationship with</p> <p>13 the college because she lied to me, and as the</p> <p>14 Assistant to the Dean, I need to trust the people who</p> <p>15 work for me.</p> <p>16 Q. Okay. And the lies that you're talking about</p> <p>17 are those three things, the --</p> <p>18 A. Yes.</p> <p>19 Q. -- chairs and the budgeting information being</p> <p>20 one, the meeting with Allison being the second, and the</p> <p>21 document template being the third.</p> <p>22 A. Yes.</p> <p>23 Q. There's nothing else that you considered a</p> <p>24 lie.</p> <p>25 A. Not that I can recall. 0:58:07</p>	<p>1 Q. Okay. Sure.</p> <p>2 A. We have a hiring freeze. So, am I telling</p> <p>3 you the total number of positions that would be</p> <p>4 available if there wasn't a hiring freeze?</p> <p>5 Q. I don't know. What did you tell me?</p> <p>6 A. Well, you're asking how many positions and</p> <p>7 what they are. So, I can tell you what they are. But</p> <p>8 I can also explain to you that --</p> <p>9 Q. Mm-hmm.</p> <p>10 A. -- not all of them are filled right now.</p> <p>11 Q. Okay.</p> <p>12 A. So I'm --</p> <p>13 Q. Sure.</p> <p>14 A. -- asking you what would you like.</p> <p>15 Q. Well, when you said there were 10 positions</p> <p>16 --</p> <p>17 A. Mm-hmm.</p> <p>18 Q. -- you said both filled and unfilled? 0:59:34</p> <p>19 A. Yes.</p> <p>20 Q. Okay. Of those 10, how many are filled?</p> <p>21 A. There is -- there are two Associate Deans.</p> <p>22 Q. Mm-hmm.</p> <p>23 A. There is an Assistant Dean.</p> <p>24 Q. Mm-hmm.</p> <p>25 A. There is a -- there are three Directors.</p>

Page 54	Page 56
<p>1 Q. Mm-hmm.</p> <p>2 A. There is the Dean. There are two</p> <p>3 Administrative Assistant positions open, one that is</p> <p>4 disputed. And there is a Director position open. And</p> <p>5 actually an Assistant Dean position that's open. 1:00:12</p> <p>6 Q. By open you mean unfilled due to the hiring</p> <p>7 freeze?</p> <p>8 A. Un -- un -- unfilled because of the hiring</p> <p>9 freeze, yes.</p> <p>10 Q. And what does it mean that one Administrative</p> <p>11 Assistant position is disputed?</p> <p>12 A. That Human Resources deems that a new</p> <p>13 position and I do not deem it a new position.</p> <p>14 Q. And what practical consequence does that</p> <p>15 have? 1:00:38</p> <p>16 A. Means I can't fill it until the dispute is</p> <p>17 over.</p> <p>18 Q. Okay. Okay. And immediately prior to Lisa's</p> <p>19 termination of employment, you said there were four in</p> <p>20 the office?</p> <p>21 A. There was the Dean, the Associate Dean, Lisa</p> <p>22 Lewandowski as the Assistant to the Dean, the</p> <p>23 Administrative Assistant, Allison Ratliff.</p> <p>24 Q. Mm-hmm.</p> <p>25 A. That was it. 1:01:05</p>	<p>1 Q. Okay.</p> <p>2 A. -- in the office.</p> <p>3 Q. Okay. Does she still work in -- in Columbia</p> <p>4 College?</p> <p>5 A. Yes, she does.</p> <p>6 Q. Okay. What's her current position? 1:02:09</p> <p>7 A. She is Director of Communication for the</p> <p>8 School of Fine and Performing Arts.</p> <p>9 Q. Okay. And then you said she worked there</p> <p>10 approximately three to six months on an interim basis</p> <p>11 in Lisa's old position?</p> <p>12 A. Mm-hmm.</p> <p>13 Q. And -- and -- yes?</p> <p>14 A. Yes. Sorry.</p> <p>15 Q. Okay. And then that position was filled on a</p> <p>16 permanent basis?</p> <p>17 A. Yes.</p> <p>18 Q. And who filled that position on a permanent</p> <p>19 basis?</p> <p>20 A. Abbie Kelley filled it on a permanent basis</p> <p>21 for approximately a year --</p> <p>22 Q. Mm-hmm.</p> <p>23 A. -- and then when Abbie was promoted to a</p> <p>24 newly created position of Director of Communication, I</p> <p>25 filled that position with somebody whose name is</p>
Page 55	Page 57
<p>1 Q. Okay. Okay. And was Lisa Lewandowski's</p> <p>2 position filled after -- after her employment</p> <p>3 terminated?</p> <p>4 A. Her position was filled on an interim basis</p> <p>5 initially and then it was filled permanently.</p> <p>6 Q. Okay. What does it mean, on an interim</p> <p>7 basis?</p> <p>8 A. At the college you do a full-blown search for</p> <p>9 any full-time position.</p> <p>10 Q. Mm-hmm.</p> <p>11 A. I was a new Dean, and I didn't have a lot of</p> <p>12 time to get some assistance, so I asked special</p> <p>13 permission from Human Resources to delay a search until</p> <p>14 I had more time. And I hired an interim person. 1:01:44</p> <p>15 Q. And how long did the interim person serve in</p> <p>16 that position?</p> <p>17 A. I can't remember, three or six months.</p> <p>18 Q. Okay. And what's the name of that interim</p> <p>19 person?</p> <p>20 A. Abbie Kelley.</p> <p>21 Q. Same Abbie Kelley who's on the handwriting</p> <p>22 exhibit that --</p> <p>23 A. Yes.</p> <p>24 Q. -- that we've looked at?</p> <p>25 A. She was a student worker --</p>	<p>1 Candice Hill-Buchbinder. 1:02:45</p> <p>2 Q. And does Ms. Hill-Buchbinder still work in</p> <p>3 that position?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And there are currently open</p> <p>6 Administrative Assistant positions in the Office of the</p> <p>7 Dean of the School of Fine and Performing Arts?</p> <p>8 A. Yes.</p> <p>9 Q. At least one of which there is a dispute</p> <p>10 between you and Human Resources whether that position</p> <p>11 can be filled or not due to the hiring freeze.</p> <p>12 A. Yes. 1:03:08</p> <p>13 Q. Okay. Any reason if Lisa Lewandowski were to</p> <p>14 win this case, any reason she couldn't be put in one of</p> <p>15 those positions?</p> <p>16 MS. KAY: Object to the form of the question.</p> <p>17 Calls for hypothetical and speculation.</p> <p>18 Q. Okay. Please answer.</p> <p>19 A. If there were a search and Lisa applied for</p> <p>20 the position, is that --</p> <p>21 Q. Mm-hmm.</p> <p>22 A. -- what you're asking?</p> <p>23 Q. No. I'm saying if Lisa Lewandowski wins this</p> <p>24 case and the judge says she should be reinstated to her</p> <p>25 old position, is there any reason that you can think of</p>

Page 58	Page 60
<p>1 why she should not be reinstated? 1:03:39</p> <p>2 A. To the Assistant to the Dean position or to</p> <p>3 an Administrative Assistant position?</p> <p>4 Q. To the -- I'm sorry -- to the Assistant to</p> <p>5 the Dean position.</p> <p>6 A. Well, it's already filled.</p> <p>7 Q. Other than it being filled, is there any</p> <p>8 reason you can think of?</p> <p>9 MS. KAY: The question is, any reason she can</p> <p>10 think of why she shouldn't be brought back?</p> <p>11 MR. LEE: Right.</p> <p>12 MS. KAY: Okay. I'm going to object to the</p> <p>13 form of the question, but if you can answer -- 1:04:05</p> <p>14 A. I don't think I can. I think it's an absurd</p> <p>15 question. I mean, I -- I know you have to do your job,</p> <p>16 but I -- I can't --</p> <p>17 Q. Well, if -- if --</p> <p>18 A. -- answer that question.</p> <p>19 Q. -- if a judge said you need to put Lisa</p> <p>20 Lewandowski back to work because she won the case,</p> <p>21 would you be able to do that?</p> <p>22 MS. KAY: Same objection.</p> <p>23 A. I -- I -- yeah, I don't -- I don't -- I can't</p> <p>24 answer that question.</p> <p>25 Q. Why can't you answer the question?</p>	<p>1 Q. Okay. As a Dean, you're an employee of</p> <p>2 Columbia College?</p> <p>3 A. Yes.</p> <p>4 Q. Do you get employment evaluations or anything</p> <p>5 like that?</p> <p>6 A. Yes, I do.</p> <p>7 Q. Okay. Is part of your evaluation whether or</p> <p>8 not you've been found to have retaliated against any</p> <p>9 employee? 1:05:52</p> <p>10 A. I think you have to reword that question</p> <p>11 because I'm not sure I understand it.</p> <p>12 Q. Is there anything on your evaluation that</p> <p>13 judges you on whether or not you've obeyed federal law</p> <p>14 with regard to the treatment of employees?</p> <p>15 MS. KAY: Object to the form of the question.</p> <p>16 You can answer, if you know.</p> <p>17 A. I was trying to figure out what the question</p> <p>18 is. Maybe you could rephrase that question. 1:06:22</p> <p>19 Q. You get an -- you get evaluated?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. Is any part of that whether or not</p> <p>22 you've been found to have violated any federal laws in</p> <p>23 the way you've treated your employees?</p> <p>24 WITNESS: Could I rephrase the question so</p> <p>25 that I can answer it or should I just -- I -- I don't</p>
Page 59	Page 61
<p>1 A. I think the -- if that were to happen, that</p> <p>2 Human Resources would work to determine where she was</p> <p>3 located in an open position. 1:04:42</p> <p>4 WITNESS: I'm sorry, my father is ill.</p> <p>5 MR. LEE: Off the record.</p> <p>6 RECORDER: Off the record, 1:04 p.m. Or 2:09</p> <p>7 --</p> <p>8 WITNESS: I -- I won't take --</p> <p>9 RECORDER: -- p.m.</p> <p>10 WITNESS: -- it, but I may have to --</p> <p>11 (Off the record)</p> <p>12 RECORDER: -- 2:10 p.m.</p> <p>13 Q. So, if Lisa Lewandowski won this case and the</p> <p>14 judge said she should be put back in her position, can</p> <p>15 you think of any reason why she should not be back in</p> <p>16 her old position?</p> <p>17 A. I -- I still can't answer the question. I</p> <p>18 can tell you that if -- if -- if I was requested to put</p> <p>19 somebody back in their position because that was what</p> <p>20 had to happen. I would comply with whatever my</p> <p>21 institution asked me to do, I think. I mean, I don't</p> <p>22 really -- 1:05:23</p> <p>23 Q. Okay. And -- and you'd comply with the court</p> <p>24 order?</p> <p>25 A. Of course I would.</p>	<p>1 -- I can't answer this question because that's not how</p> <p>2 it works. 1:06:47</p> <p>3 MS. KAY: Let him ask the next question. And</p> <p>4 if you can't answer it -- if you don't understand it</p> <p>5 well enough to answer it, then don't answer.</p> <p>6 Q. Do you not understand the question?</p> <p>7 A. I do not understand the question.</p> <p>8 Q. Do you -- as a Dean, do you -- or an employee</p> <p>9 of Columbia College, do you receive any training on</p> <p>10 federal laws as they relate to the treatment of</p> <p>11 employees?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And does that include the Family and</p> <p>14 Medical Leave Act --</p> <p>15 A. Yes.</p> <p>16 Q. -- that training? And does that include not</p> <p>17 retaliating against employees because they've claimed</p> <p>18 rights under the Family and Medical Leave Act? 1:07:17</p> <p>19 A. Yes.</p> <p>20 Q. And does that include not interfering with</p> <p>21 employees who have claimed rights under the Family and</p> <p>22 Medical --</p> <p>23 A. Yes.</p> <p>24 Q. -- Leave Act? And in that training, are you</p> <p>25 told that if you in fact, contrary to federal law,</p>

Page 62	Page 64
<p>1 interfere with or retaliate against any employees who</p> <p>2 have claimed rights under the Family and Medical Leave</p> <p>3 Act, that something bad could happen to you in your</p> <p>4 employment?</p> <p>5 A. I don't know if it's phrased that way. But I</p> <p>6 think what's made clear is what our responsibility is,</p> <p>7 yes. 1:07:46</p> <p>8 Q. Mm-hmm. But are you told that, for example,</p> <p>9 you could get a reprimand if you're found to have</p> <p>10 interfered with an employee who claimed rights under</p> <p>11 the Family and Medical Leave Act or retaliated against</p> <p>12 an employee who claimed rights under the Family and</p> <p>13 Medical Leave Act?</p> <p>14 A. I don't know.</p> <p>15 Q. Okay. Are you told that some sort of mark</p> <p>16 could go on your record, a bad mark could go on your</p> <p>17 record if you're found to have retaliated against</p> <p>18 employees who claimed rights under the Family and</p> <p>19 Medical Leave Act or to have interfered with employee</p> <p>20 rights under the Family and Medical Leave Act? 1:08:19</p> <p>21 A. I don't know.</p> <p>22 Q. Okay. Are you told that your pay could be</p> <p>23 cut if you're found to have retaliated against</p> <p>24 employees who claimed rights under the Family and</p> <p>25 Medical Leave Act or have interfered with employees who</p>	<p>1 you're sitting here today, what do you understand about</p> <p>2 any actions that Columbia College might take against</p> <p>3 you as an employee if a judge or a jury finds that you</p> <p>4 retaliated against a different employee of Columbia</p> <p>5 College for claiming rights under its Family and</p> <p>6 Medical Leave Act or interfered with a different</p> <p>7 employee of Columbia College's rights under the Family</p> <p>8 and Medical Leave Act? 1:09:56</p> <p>9 MS. KAY: I'm going to object to the form of</p> <p>10 the question in the absence of foundation and the fact</p> <p>11 that it calls for speculation. So, if you are able to</p> <p>12 answer, go ahead --</p> <p>13 A. I'm not sure I can remember the beginning of</p> <p>14 the question. Whether I understand what the actions of</p> <p>15 Columbia College might be?</p> <p>16 Q. No. As you're sitting here today, do you</p> <p>17 think that anything might happen to you as an employee</p> <p>18 of Columbia College from Columbia College because a</p> <p>19 judge or a jury -- I'm sorry -- if a judge or a jury</p> <p>20 find that you either retaliated against somebody for</p> <p>21 claiming rights under the Family and Medical Leave Act</p> <p>22 or interfered with somebody's rights under the Family</p> <p>23 and Medical Leave Act? 1:10:40</p> <p>24 MS. KAY: Same objection.</p> <p>25 A. I don't think I can answer the question.</p>
Page 63	Page 65
<p>1 claimed rights under the Family and Medical Leave Act?</p> <p>2 A. I don't know.</p> <p>3 Q. Okay. Are you told that you could be fired</p> <p>4 if you're found to have interfered with employees who</p> <p>5 claimed rights under the Family and Medical Leave Act</p> <p>6 or to have retaliated against employees who claimed</p> <p>7 rights under the Family and Medical Leave Act? 1:08:48</p> <p>8 A. I don't know.</p> <p>9 Q. Do you -- you yourself sitting there believe</p> <p>10 that something bad could happen to you on the job if a</p> <p>11 judge or a jury found that you had retaliated against</p> <p>12 an employee who claimed rights under the Family and</p> <p>13 Medical Leave Act or had interfered with an employee's</p> <p>14 rights under the Family and Medical Leave Act?</p> <p>15 A. I don't know.</p> <p>16 Q. Do you sitting there think that -- 1:09:14</p> <p>17 MR. LEE: Off the record.</p> <p>18 RECORDER: Off the record --</p> <p>19 WITNESS: I'm sorry.</p> <p>20 RECORDER: -- 2:14 p.m.</p> <p>21 (Off the record)</p> <p>22 RECORDER: Back on the record, 2:27 p.m.</p> <p>23 MR. LEE: Okay.</p> <p>24 Q. As you're sitting here today, do you</p> <p>25 understand -- I'm sorry, let me rephrase that. As</p>	<p>1 Q. Why not?</p> <p>2 A. Because I'm not sure I understand it.</p> <p>3 Q. Okay.</p> <p>4 A. I -- I -- I mean, I -- I don't know. I guess</p> <p>5 that's my answer, is I don't know.</p> <p>6 Q. Okay. You understand that Lisa Lewandowski</p> <p>7 has filed a lawsuit against Columbia College.</p> <p>8 A. Yes.</p> <p>9 Q. You understand that part of that lawsuit is</p> <p>10 that Lisa Lewandowski claims that she was fired because</p> <p>11 she was about to go out on family and medical leave. 1:11:07</p> <p>12 A. Yes.</p> <p>13 Q. And you understand that you're the person who</p> <p>14 made the decision to fire Lisa Lewandowski.</p> <p>15 A. Yes.</p> <p>16 Q. You understand that if a judge -- that a</p> <p>17 judge or a jury could find that in fact you fired Lisa</p> <p>18 Lewandowski in violation of the Family and Medical</p> <p>19 Leave Act.</p> <p>20 MS. KAY: Object to the form of the question.</p> <p>21 This witness hasn't been certified as knowing what</p> <p>22 would be in violation or -- or not of the Act. But if</p> <p>23 you can answer, go ahead. 1:11:36</p> <p>24 A. I -- I -- I can't answer it because I -- I</p> <p>25 didn't do any of those things. So, I -- I can't</p>

Page 66	Page 68
<p>1 speculate on what might happen.</p> <p>2 Q. You understand that Lisa Lewandowski can win</p> <p>3 her lawsuit.</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And you understand that if she wins</p> <p>6 her lawsuit, it might be because a judge or a jury</p> <p>7 finds that you fired her because she was going to --</p> <p>8 about to go out on family and medical leave.</p> <p>9 A. Yes.</p> <p>10 Q. You understand that it at least a theoretical</p> <p>11 possibility.</p> <p>12 A. Yes. 1:12:04</p> <p>13 Q. Okay. So you understand you might be facing</p> <p>14 a situation in which a judge or a jury has said that</p> <p>15 you, Dean Liza Nichols, fired Lisa Lewandowski because</p> <p>16 she was about to go out on family and medical leave.</p> <p>17 You understand that as at least a theoretical</p> <p>18 possibility?</p> <p>19 A. I do understand it now. It never occurred to</p> <p>20 me.</p> <p>21 Q. Okay. Okay. Now that you understand that,</p> <p>22 do you think that anything might happen to your</p> <p>23 employment at Columbia College were a judge or a jury</p> <p>24 to find that you had fired Lisa Lewandowski because she</p> <p>25 was about to go out on family and medical leave? 1:12:42</p>	<p>1 A. If you know of anybody who would like to</p> <p>2 volunteer, though, I would be happy to accept.</p> <p>3 Q. I will keep my eyes out for you. Okay.</p> <p>4 MR. LEE: I'm going to ask the court reporter</p> <p>5 to mark as Exhibit 11 a six-page document Bates stamped</p> <p>6 LL0260 through LL0265 headed "Notes to the file re:</p> <p>7 Lisa Lewandowski August 2007". And I will tender a</p> <p>8 copy to Ms. Kay. 1:14:18</p> <p>9 MS. KAY: Thank you.</p> <p>10 Q. Dean Nichols, would you please look at the</p> <p>11 document that the court reporter just marked as Exhibit</p> <p>12 11, which I just described for the record.</p> <p>13 A. Can I just ask Ms. Kay something?</p> <p>14 Q. Yeah, sure. 1:14:41</p> <p>15 RECORDER: Do you want to go off --</p> <p>16 WITNESS: Yeah.</p> <p>17 RECORDER: -- the record?</p> <p>18 MS. KAY: Let's go off, please.</p> <p>19 RECORDER: Off the record, 2:33 p.m.</p> <p>20 (Off the record)</p> <p>21 RECORDER: Back on the record, 2:35 p.m.</p> <p>22 WITNESS: Well, I don't know. I think you</p> <p>23 might need to move one of those bookcases -- coming</p> <p>24 back.</p> <p>25 MR. LEE: You could scoot down a bit.</p>
Page 67	Page 69
<p>1 MS. KAY: Object to the form of the question,</p> <p>2 calling for speculation. If you can answer.</p> <p>3 A. Sorry, I have no way of knowing that.</p> <p>4 Q. But you're not in fear of your job should a</p> <p>5 -- a judge or a jury find that you violated the Family</p> <p>6 and Medical Leave Act in firing Lisa Lewandowski?</p> <p>7 A. Well, I wasn't when I walked in the door and</p> <p>8 I wasn't until about a minute ago. Maybe now when I</p> <p>9 walk out, I will. 1:13:10</p> <p>10 Q. Okay. Okay. So, it's possible in your mind</p> <p>11 that if a judge or a jury finds that you violated the</p> <p>12 Family and Medical Leave Act in firing Lisa</p> <p>13 Lewandowski, that -- that you could lose your job.</p> <p>14 A. I -- I have no idea --</p> <p>15 Q. Okay.</p> <p>16 A. -- whether that could happen or not.</p> <p>17 Q. Okay. Okay. Do you have any other income</p> <p>18 besides what you get through your job at Columbia</p> <p>19 College?</p> <p>20 A. No, I don't.</p> <p>21 Q. Okay. Is there anybody else who brings</p> <p>22 income into your household besides you? 1:13:41</p> <p>23 A. Unfortunately no.</p> <p>24 Q. Okay. I'm there with you. Actually, that's</p> <p>25 not true. Okay.</p>	<p>1 WITNESS: Oh, that's true. All right.</p> <p>2 Q. Okay. Would you please look at what the</p> <p>3 court reporter just marked as Exhibit 11 --</p> <p>4 A. Mm-hmm.</p> <p>5 Q. -- which is the notes to the file re: Lisa</p> <p>6 Lewandowski that I described -- 1:15:09</p> <p>7 A. Uh-huh.</p> <p>8 Q. -- a minute ago.</p> <p>9 A. Am I supposed to be reading it thoroughly, or</p> <p>10 do you just want me to look at it?</p> <p>11 Q. I think just --</p> <p>12 MS. KAY: Take your time, if you want --</p> <p>13 Q. -- looking at it.</p> <p>14 MS. KAY: -- to read it. 1:15:55</p> <p>15 A. I'm a very slow reader, so if you want me to</p> <p>16 read all of it, it's going to take a while. Do you</p> <p>17 want me to read all of it?</p> <p>18 Q. Well, why don't you let me ask questions --</p> <p>19 A. Okay.</p> <p>20 Q. -- and then if you need to read it, you can</p> <p>21 tell us.</p> <p>22 A. Okay.</p> <p>23 Q. Okay. So, is the document headed "Notes to</p> <p>24 the file re: Lisa Lewandowski" that's marked as Exhibit</p> <p>25 11 the memo to file you talked about earlier in this</p>

Page 70	Page 72
<p>1 deposition? 1:16:20</p> <p>2 A. Yes.</p> <p>3 Q. Okay. And are you the author of the "Notes</p> <p>4 to the file re: Lisa Lewandowski" marked as Exhibit 11?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Was the document headed "Notes to the</p> <p>7 file re: Lisa Lewandowski" marked as Exhibit 11 created</p> <p>8 all at once or over a period of time?</p> <p>9 A. Over a period of time. 1:16:45</p> <p>10 Q. Do you know what that period of time was?</p> <p>11 A. I can surmise from here that it was from</p> <p>12 August through October.</p> <p>13 Q. So --</p> <p>14 A. Or to October.</p> <p>15 Q. The first page of the document "Notes to the</p> <p>16 file re: Lisa Lewandowski" marked as Exhibit 11, where</p> <p>17 it says "August 2007", are you saying that was created</p> <p>18 in August 2007?</p> <p>19 A. Yes. 1:17:12</p> <p>20 Q. Okay. And then on the next page of that</p> <p>21 document, there is a part that starts "September 2007",</p> <p>22 are you saying that part was created in September 2007?</p> <p>23 A. Yes. Looks like it.</p> <p>24 Q. Okay. And then on the next page of the</p> <p>25 document marked as Exhibit 11, about three-quarters of</p>	<p>1 Q. Do you still use the same computer that you</p> <p>2 used in August through October of 2007?</p> <p>3 A. Yes.</p> <p>4 Q. And was this created at work?</p> <p>5 A. I think so. I don't know. I can't remember.</p> <p>6 Q. Okay. Was it your idea to create this</p> <p>7 document, "Notes to the file re: Lisa Lewandowski"</p> <p>8 marked as Exhibit 11? 1:19:07</p> <p>9 A. Yes.</p> <p>10 Q. Okay. Did you consult with anybody during</p> <p>11 the creation of this document marked "Notes to the file</p> <p>12 re: Lisa Lewandowski" marked as Exhibit 11?</p> <p>13 A. No. I don't think so.</p> <p>14 Q. Did you put into the document marked "Notes</p> <p>15 to the file re: Lisa Lewandowski" that's marked as</p> <p>16 Exhibit 11 everything that you thought was important</p> <p>17 concerning what lead to the termination of Lisa</p> <p>18 Lewandowski's employment at Columbia College? 1:19:36</p> <p>19 A. I don't remember.</p> <p>20 Q. Okay. Is there anything that can help you</p> <p>21 remember?</p> <p>22 A. No, not that I can think of. I mean,</p> <p>23 "everything" is a big word.</p> <p>24 Q. Would you put those parts of the document</p> <p>25 headed "Notes to the file re: Lisa Lewandowski" that's</p>
Page 71	Page 73
<p>1 the way down, there is a part that starts "October</p> <p>2 10th, 2007", are you saying that that part was created</p> <p>3 on October 10th, 2007? 1:17:45</p> <p>4 A. I think so.</p> <p>5 Q. Okay.</p> <p>6 A. Since that's what it says.</p> <p>7 Q. Okay. And then the next page, about a third</p> <p>8 of the way down, there's a large paragraph that's</p> <p>9 headed, "10 dot" -- excuse me, let me try that again --</p> <p>10 "10.11.07". Was what follows that created on October</p> <p>11 11, 2007?</p> <p>12 A. I assume so. 1:18:11</p> <p>13 Q. Well, do you know?</p> <p>14 A. Well, that's what the date says.</p> <p>15 Q. Was it your practice to put a date on which</p> <p>16 it was created immediately before you created it?</p> <p>17 A. I think so.</p> <p>18 Q. Okay. So this document headed "Notes to the</p> <p>19 file re: Lisa Lewandowski", was this a computer word</p> <p>20 processing document that you would add to as time goes</p> <p>21 on? 1:18:37</p> <p>22 A. I think so.</p> <p>23 Q. Is the computerized version still in</p> <p>24 existence?</p> <p>25 A. I don't know.</p>	<p>1 been marked as Exhibit 11 that were created at various</p> <p>2 points of time, would you print them out and put them</p> <p>3 into Lisa's personnel file, or did you just keep them</p> <p>4 on your computer? 1:20:17</p> <p>5 A. I don't remember.</p> <p>6 Q. Is there any way -- anything that can help</p> <p>7 you remember?</p> <p>8 A. Not that I can think of.</p> <p>9 Q. The final version -- I shouldn't say final, I</p> <p>10 withdraw that -- the version that we have marked as</p> <p>11 Exhibit 11 of the "Notes to the file re: Lisa</p> <p>12 Lewandowski", those were put in Lisa Lewandowski's</p> <p>13 personnel file?</p> <p>14 A. Yes.</p> <p>15 Q. And was that your idea to do that?</p> <p>16 A. Yes. 1:20:41</p> <p>17 Q. Okay. And when did you print out what's</p> <p>18 marked as "Notes to the file re: Lisa Lewandowski" and</p> <p>19 place it in her personnel file?</p> <p>20 A. I don't remember. It must've after October</p> <p>21 17th because this is the last entry.</p> <p>22 Q. Okay. Do you have any way to tie down how</p> <p>23 far after October 17th that you would have printed this</p> <p>24 out and had it placed in Lisa's personnel file? 1:21:13</p> <p>25 A. I don't. If she requested her personnel file</p>

Page 74	Page 76
<p>1 at any time, then that would help date it.</p> <p>2 Q. So, other than it being on or after October</p> <p>3 17th and sometime before Lisa requested her personnel</p> <p>4 file, do you have any way to tie down the date better</p> <p>5 as to when you printed out the "Notes to the file re:</p> <p>6 Lisa Lewandowski" and had it placed in her personnel</p> <p>7 file? 1:21:45</p> <p>8 A. No.</p> <p>9 Q. Do you keep documents like "Notes to the file</p> <p>10 re: Lisa Lewandowski" on any other employees in the</p> <p>11 Office of the Dean that you're the head of?</p> <p>12 A. Yes.</p> <p>13 Q. Do you do that for every employee?</p> <p>14 A. Only employees who have reason for me to</p> <p>15 write something down. 1:22:11</p> <p>16 Q. So are you saying that in August 2007 you</p> <p>17 felt you had reason to write something down about Lisa</p> <p>18 Lewandowski and keep notes on her?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. Okay. What I'd like you to do is to</p> <p>21 read the document and then I'm going to ask you if</p> <p>22 there's anything else that you consider important about</p> <p>23 your choice to terminate Lisa Lewandowski's employment</p> <p>24 at Columbia College that is not in this document. 1:22:58</p> <p>25 Okay. So I know you said it would take you a while, so</p>	<p>1 A. I think it could use some serious editing.</p> <p>2 It's rather repetitive and long. And I would have</p> <p>3 preferred it be shorter so that I could read it more</p> <p>4 quickly. But other than that --</p> <p>5 Q. But I mean, your -- your answers to my</p> <p>6 questions about, you know, how you kept it, when you</p> <p>7 kept it, when you created it, having now read the full</p> <p>8 document, are --</p> <p>9 A. Uh-huh.</p> <p>10 Q. -- all those answers still your answers?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. You wouldn't want to change anything</p> <p>13 about any of those answers? 1:24:21</p> <p>14 A. No.</p> <p>15 Q. Okay. Okay. When did you actually decide to</p> <p>16 terminate Lisa Lewandowski's employment with Columbia</p> <p>17 College?</p> <p>18 A. Shortly before I terminated her.</p> <p>19 Q. Same day?</p> <p>20 A. I don't think so. But I don't remember.</p> <p>21 Q. Within a day or two of when you actually</p> <p>22 terminated?</p> <p>23 A. I don't know. I think -- if I look at this,</p> <p>24 it looks like I was trying to give her adverse</p> <p>25 reactions chance and a lot -- a lot indicates that she</p>
Page 75	Page 77
<p>1 why don't we go --</p> <p>2 A. Okay.</p> <p>3 Q. -- off the record.</p> <p>4 RECORDER: Off the record. 2:44 p.m.</p> <p>5 (Off the record)</p> <p>6 RECORDER: Back on the record. 2:55 p.m.</p> <p>7 Q. Dean Nichols, have you finished reading the</p> <p>8 document "Notes to the file re: Lisa Lewandowski"</p> <p>9 marked as Exhibit 11?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Is there anything that's not in this</p> <p>12 document that you would want to add that you considered</p> <p>13 important to your choice to terminate Lisa</p> <p>14 Lewandowski's employment at Columbia College? 1:23:29</p> <p>15 A. No.</p> <p>16 Q. So, everything important to your choice to</p> <p>17 terminate Lisa Lewandowski's employment at Columbia</p> <p>18 College Chicago is in the "Notes to the file re: Lisa</p> <p>19 Lewandowski" marked as Exhibit 11?</p> <p>20 A. I believe so.</p> <p>21 Q. Okay. Having now read the document "Notes to</p> <p>22 the file re: Lisa Lewandowski" marked as Exhibit 11,</p> <p>23 would you want to change or add to or alter or amend</p> <p>24 any of your answers about the way this document was</p> <p>25 created? 1:23:56</p>	<p>1 was not truthful. So, I think as soon as I realized 1:25:08</p> <p>2 that she was lying to me and seemed to have a pattern</p> <p>3 of lying and pattern of covering up for herself, that I</p> <p>4 made that decision.</p> <p>5 Q. Do you have any way to tie that down to a</p> <p>6 actual date?</p> <p>7 A. I don't think so.</p> <p>8 Q. Do you have any way to tie it down in terms</p> <p>9 of time at all?</p> <p>10 A. No. It was four years ago. 1:25:34</p> <p>11 Q. Okay. And reading this document, the "Notes</p> <p>12 to the file re: Lisa Lewandowski" marked as Exhibit 11,</p> <p>13 doesn't help you remember when you decided to terminate</p> <p>14 Lisa Lewandowski's employment with Columbia College?</p> <p>15 A. No, it doesn't.</p> <p>16 Q. Okay.</p> <p>17 MR. LEE: Going to ask the court reporter to</p> <p>18 mark as deposition Exhibit 12 a one-page email</p> <p>19 previously marked as request for admission Exhibit</p> <p>20 number 110. And I will tender a copy to Ms. Kay and</p> <p>21 tender a copy --</p> <p>22 MS. KAY: Thanks.</p> <p>23 MR. LEE: -- to you. 1:26:13</p> <p>24 Q. Dean Nichols, on the "Cc" of the email toward</p> <p>25 the top that's been marked as deposition Exhibit 12, do</p>

Page 78	Page 80
<p>1 you see the name Nicholas, comma, Eliza?</p> <p>2 A. Mm-hmm.</p> <p>3 Q. Do you recall receiving this email?</p> <p>4 A. No. 1:26:44</p> <p>5 Q. Does anything about this email look familiar</p> <p>6 to you?</p> <p>7 A. Well, it would be the normal kind of an email</p> <p>8 that we would send out if somebody was leaving.</p> <p>9 Q. Other than that, do you recall getting this</p> <p>10 -- this particular email?</p> <p>11 A. No.</p> <p>12 Q. Okay.</p> <p>13 MR. LEE: All my other questions will be for</p> <p>14 the other 30(b)(6) witness subject to any cross you</p> <p>15 might have. 1:27:11</p> <p>16 MS. KAY: Okay. I just have a few follow-up</p> <p>17 --</p> <p>18 BY MS. KAY:</p> <p>19 Q. Dean Nichols, at the beginning of the</p> <p>20 deposition, you were asked some questions about Lisa</p> <p>21 Lewandowski coming to the Dean's office when you</p> <p>22 started and the fact that she was in a different office</p> <p>23 space apparently at that point than she had been</p> <p>24 previously. Can you provide any information about how</p> <p>25 -- where she was and why she was in the office space</p>	<p>1 A. Full-time Administrative Assistant and she</p> <p>2 was the -- I had assigned her to be the assistant to</p> <p>3 Jim McDonald, who was the Associate Dean at the time.</p> <p>4 Q. Did -- how long did Lisa Lewandowski work in</p> <p>5 the office that was three doors from yours before you</p> <p>6 moved her into the open space? 1:30:05</p> <p>7 A. I don't recall. Could've been a matter of</p> <p>8 weeks, it could've been a month.</p> <p>9 Q. Okay.</p> <p>10 A. And I will say one of the reasons that I was</p> <p>11 tentative about where anybody would sit is that we</p> <p>12 didn't have enough office space, appropriate office</p> <p>13 space, for the Assistant Dean position.</p> <p>14 Q. Mm-hmm.</p> <p>15 A. And I was searching for that --</p> <p>16 Q. Okay.</p> <p>17 A. -- position. And eventually Allison Ratliff</p> <p>18 had to move out of that -- out of that office because I</p> <p>19 put the Assistant Dean in that -- 1:30:35</p> <p>20 Q. Okay.</p> <p>21 A. -- office.</p> <p>22 Q. When the -- you testified that someone came</p> <p>23 in after Lisa Lewandowski left on an interim basis and</p> <p>24 then eventually was brought in on a more permanent</p> <p>25 basis, correct?</p>
Page 79	Page 81
<p>1 that she was when you took the position of Dean? 1:27:52</p> <p>2 A. When I took the position of Dean, there was</p> <p>3 the Dean's office which I was to occupy that was the</p> <p>4 Associate Dean's office, that was Jim McDonald's</p> <p>5 office. Then there was another office that Allison</p> <p>6 Ratliff was in. And there was an office across the</p> <p>7 hallway. And I was told by Lisa that she had chosen to</p> <p>8 be in that office across the hallway. Later it came 1:28:26</p> <p>9 up, and I -- I can't tell you when, that she felt that</p> <p>10 the office that Allison was in was her office, and she</p> <p>11 referred to it as her office. And I let her know that</p> <p>12 nobody owns office space and that office doesn't belong</p> <p>13 to individuals, that whoever has it at that moment may</p> <p>14 be temporary and that I had not decided what my</p> <p>15 staffing plan was. I didn't know if I would get new 1:28:59</p> <p>16 staff. And that for the time being, Allison would stay</p> <p>17 in that office. And that in fact the office that</p> <p>18 Allison had that Lisa had chosen was too far away from</p> <p>19 me to be my assistant. It was three doors away from --</p> <p>20 from my office. And I needed my assistant to be close</p> <p>21 by. So I asked her to sit in the open office space in</p> <p>22 the suite. 1:29:32</p> <p>23 Q. What was Allison's position when -- while</p> <p>24 sitting in the office that Lisa referred to as her</p> <p>25 office? What -- what job was she working?</p>	<p>1 RECORDER: Is that a yes?</p> <p>2 Q. That -- yes?</p> <p>3 A. Yes.</p> <p>4 Q. Sorry.</p> <p>5 A. Sorry.</p> <p>6 Q. Where did that person sit?</p> <p>7 A. The same place that Lisa sat before in the</p> <p>8 open office space in the suite.</p> <p>9 Q. Okay. And did her position in that open</p> <p>10 office space change during the time that she worked for</p> <p>11 you? 1:31:05</p> <p>12 A. When she was promoted to Director, I don't</p> <p>13 know if she moved immediately. I had to repurpose a</p> <p>14 copy room in order to actually make more office space</p> <p>15 because we didn't have enough office space.</p> <p>16 Q. Okay. And why did you want your assistant in</p> <p>17 that open office space, just generally speaking?</p> <p>18 A. Because I'm a very busy person and I'm in</p> <p>19 meetings a lot and I need my assistant to hand me</p> <p>20 files, keep me organized, and be close enough to -- for</p> <p>21 me to be able to call out or request information from,</p> <p>22 so I need somebody outside my door. 1:31:52</p> <p>23 Q. That would've been the case with regard to</p> <p>24 Lisa Lewandowski?</p> <p>25 A. Yes.</p>

Page 82	Page 84
<p>1 Q. Okay.</p> <p>2 A. And in fact there's two full-time people who</p> <p>3 are in that open office situation now.</p> <p>4 Q. Okay. What was her --</p> <p>5 A. Meaning -- meaning that it's crowded.</p> <p>6 Q. Yeah. Sounds like it. What was the</p> <p>7 situation with regard to Lisa Lewandowski's computer?</p> <p>8 I think counsel asked you a question about whether she</p> <p>9 had a computer of her own when you came to the Dean's</p> <p>10 office. Can -- do you recall what her computer</p> <p>11 situation was? 1:32:27</p> <p>12 A. I recall that she didn't like the computer</p> <p>13 she had or that she had ordered. I mean, I -- I do</p> <p>14 recall that she ordered a very high end Mac computer.</p> <p>15 We are a PC office, not a Mac office. At the time, we</p> <p>16 were not a Mac office. And she had said that that</p> <p>17 would -- that was the computer she wanted. And she 1:32:54</p> <p>18 ordered it and it took a long time to get. It was</p> <p>19 actually incredibly inconvenient to me because she kept</p> <p>20 saying that she couldn't get on the network because the</p> <p>21 computer she had wasn't set up that way, and I could</p> <p>22 never understand why this was taking so long. 1:33:18</p> <p>23 Q. When she referred to the computer that she</p> <p>24 had and having trouble getting on the network, are you</p> <p>25 referring to the Mac that she ordered for herself?</p>	<p>1 A. She did.</p> <p>2 Q. Okay. Did anybody else have -- else in the</p> <p>3 office have a computer of that type?</p> <p>4 A. Not at the time. My current Associate Dean</p> <p>5 came with a Mac.</p> <p>6 Q. Okay. And you didn't interfere with or -- or</p> <p>7 prevent the -- her receipt of that desktop, that Mac</p> <p>8 desktop, did you?</p> <p>9 A. No, I told her to order what she felt</p> <p>10 comfortable with.</p> <p>11 Q. Okay.</p> <p>12 A. She also ordered a lot of expensive software</p> <p>13 which was not relevant to the office. 1:35:13</p> <p>14 Q. Okay.</p> <p>15 A. And I only found that out later.</p> <p>16 Q. Did you have any knowledge coming into the</p> <p>17 Dean's position regarding any complaints that Lisa</p> <p>18 Lewandowski had made regarding Dean Lehrer?</p> <p>19 A. No.</p> <p>20 Q. Did you have any knowledge regarding any</p> <p>21 complaints she had made specifically regarding any</p> <p>22 improper conduct on the part of Dean Lehrer? 1:35:38</p> <p>23 A. No.</p> <p>24 Q. You testified that -- I believe you testified</p> <p>25 that Lisa Lewandowski told you when you met with her</p>
Page 83	Page 85
<p>1 A. No. The Mac took forever to get. So one of</p> <p>2 her reasons for not being able to get information from</p> <p>3 me was that she didn't have a computer. And yet she</p> <p>4 had a computer. She didn't seem to like that computer. 1:33:45</p> <p>5 Q. Okay. To your knowledge, was the computer in</p> <p>6 good working order?</p> <p>7 A. Yes. I think we still use it.</p> <p>8 Q. Okay. Did you ever take a computer away from</p> <p>9 Lisa Lewandowski?</p> <p>10 A. The only time I took a computer away from her</p> <p>11 was when she was terminated and I found out that she</p> <p>12 had a laptop that had been purchased by the college, an</p> <p>13 Apple, a Mac laptop, and asked HR to ask her to return</p> <p>14 that Mac laptop. 1:34:17</p> <p>15 Q. Okay. Was that the one that she had that was</p> <p>16 on order when you came into the Dean's office?</p> <p>17 A. No. She had ordered a desktop.</p> <p>18 Q. Okay. Okay.</p> <p>19 A. Twenty-four-inch or 17-inch Mac computer.</p> <p>20 Q. Did anybody in the -- did she --</p> <p>21 A. And I didn't know --</p> <p>22 Q. -- actually receive that?</p> <p>23 A. -- she had the other one at home.</p> <p>24 Q. Okay. Did she eventually receive the -- the</p> <p>25 large desktop Mac? 1:34:41</p>	<p>1 initially that she had a lot of independence in working</p> <p>2 with Dean Lehrer previously?</p> <p>3 A. Yes. 1:36:02</p> <p>4 Q. Okay. Did she tell you that she had</p> <p>5 essentially run his office?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Is that how you wanted her to conduct</p> <p>8 herself in your office as your assistant?</p> <p>9 A. No.</p> <p>10 Q. Okay. How did -- did you tell her that?</p> <p>11 A. Yes.</p> <p>12 Q. And how did she receive that information?</p> <p>13 A. She seemed very unhappy.</p> <p>14 Q. Did she say anything to give you that</p> <p>15 impression? Or was it something else that gave you</p> <p>16 that impression? 1:36:33</p> <p>17 A. Right after I told her that and I said -- she</p> <p>18 said, well, I guess you're not going to give me as much</p> <p>19 freedom as Leonard did. And I said no, I won't. It's</p> <p>20 not appropriate for how I proceed with an Assistant to</p> <p>21 the Dean. Then she told me that the Assistant Dean</p> <p>22 position was her job, that effectively she had been</p> <p>23 doing that job and she expected to get that job. So, 1:37:02</p> <p>24 in inferred that she was not happy with being an</p> <p>25 Administrative Assistant under the conditions that I</p>

<p style="text-align: right;">Page 86</p> <p>1 had laid out for her.</p> <p>2 Q. When did you -- strike that. Eventually you</p> <p>3 -- you began a search for Assistant Dean, correct?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. And do you recall when you began that</p> <p>6 search?</p> <p>7 A. It was actually posted before I got there. I</p> <p>8 had a back and forth with the institution about the</p> <p>9 wording of the position. I wanted that hired as soon</p> <p>10 as possible when I got there so I had the ad go out in</p> <p>11 July 2007. 1:37:38</p> <p>12 Q. Did Lisa Lewandowski express to you at some</p> <p>13 point an interest in applying for that position</p> <p>14 herself?</p> <p>15 A. In the very first meeting we had prior to my</p> <p>16 coming onboard in August -- so it was either June or</p> <p>17 July, I think it was June -- she said that she thought</p> <p>18 that was her position and that she wanted it and</p> <p>19 expected it. And I said we're going to do a national</p> <p>20 search, and if you are qualified for the position, then</p> <p>21 you will be considered. 1:38:11</p> <p>22 Q. Did she apply for the position?</p> <p>23 A. She did.</p> <p>24 Q. Okay. Did you get her any instructions --</p> <p>25 since she was working in your office at the time but</p>	<p style="text-align: right;">Page 88</p> <p>1 Q. Did you eventually come to leave whether or</p> <p>2 not Allison had in fact asked her to do work on the</p> <p>3 search and setting up for the Assistant Dean?</p> <p>4 A. When I questioned Lisa why she was doing</p> <p>5 certain things for the search, she initially said that</p> <p>6 Allison had asked her. And when I pressed her on it,</p> <p>7 she said in fact that Allison had not. But it took a</p> <p>8 while for her to admit that. 1:40:17</p> <p>9 Q. Did you consider that a -- a trust issue that</p> <p>10 you had with Lisa?</p> <p>11 A. Oh, yeah. I thought she had lied to me.</p> <p>12 Q. You testified about your instructions to the</p> <p>13 chairs and also to Lisa Lewandowski regarding</p> <p>14 communications, and counsel asked that -- whether you</p> <p>15 believed what the chairs told you versus what Lisa</p> <p>16 Lewandowski told you. And I wanted to know why it was 1:40:46</p> <p>17 that you believed the chairs when each of them that you</p> <p>18 spoke to you told you that it was Ms. Lewandowski who</p> <p>19 had initiated communications rather than the other way</p> <p>20 around.</p> <p>21 A. Probably several factors. One, she -- there</p> <p>22 -- there seemed to be a pattern on Lisa's part of not</p> <p>23 really telling the truth. And the chairs had no -- 1:41:16</p> <p>24 nothing to lose in telling me the truth. And chairs</p> <p>25 are pretty good at exerting what they think are their</p>
<p style="text-align: right;">Page 87</p> <p>1 also applying for the position of Assistant Dean, did</p> <p>2 you give her any instructions regarding her involvement</p> <p>3 in the search process?</p> <p>4 A. I put Allison Ratliff in charge of the files</p> <p>5 and supporting that search. 1:38:38</p> <p>6 Q. Mm-hmm.</p> <p>7 A. Because Lisa had expressed the interest in</p> <p>8 the position and then applied for it. And I told her</p> <p>9 that she would have nothing to do with or should have</p> <p>10 nothing to do with anything that had to do with the</p> <p>11 search because it would be inappropriate given that she</p> <p>12 was a candidate for the search.</p> <p>13 Q. Did she follow that direction?</p> <p>14 A. No, she was constantly trying to get access</p> <p>15 to the files and trying to have some role in doing</p> <p>16 things for that search. 1:39:12</p> <p>17 Q. Did you address that with her?</p> <p>18 A. Yes, I told her it was inappropriate and</p> <p>19 explained again why she couldn't have access to the</p> <p>20 information. And she claimed that Allison had forced</p> <p>21 her, you know, asked her to do things for the search.</p> <p>22 And I said that I didn't believe that because I had</p> <p>23 made it clear that it was Allison's role to do that and</p> <p>24 I had no reason to believe that Allison would give her</p> <p>25 work to do that wasn't for her to do. 1:39:46</p>	<p style="text-align: right;">Page 89</p> <p>1 rights and, you know -- so it seemed to me that since</p> <p>2 several of them had confirmed this, that they were the</p> <p>3 ones who were probably accurate in that. 1:41:44</p> <p>4 Q. The chairs were tenured faculty members,</p> <p>5 correct?</p> <p>6 A. They are tenured, yeah.</p> <p>7 Q. Okay. And the -- that would include the ones</p> <p>8 that you spoke to who confirmed that Lisa had initiated</p> <p>9 contact.</p> <p>10 A. Yes.</p> <p>11 Q. So, if you were upset with them had they</p> <p>12 chosen not to follow your instruction, could you have</p> <p>13 revoked their tenure status?</p> <p>14 A. At the time I had two chairs who were tenured</p> <p>15 as chairs. Which means that there's -- I could do to 1:42:15</p> <p>16 them. The other chairs have tenured faculty</p> <p>17 appointments, so the most I could do is not reappoint</p> <p>18 them to their chair position, in which case they would</p> <p>19 go back into their faculty full-time tenured position.</p> <p>20 Q. The two chairs you said were tenured as</p> <p>21 chairs, are those two of chairs that you spoke to about</p> <p>22 this communication issue? 1:42:40</p> <p>23 A. I recall at least one of them, I think both</p> <p>24 of them, but I can't remember.</p> <p>25 Q. And would they have known as -- as best that</p>

Page 90	Page 92
<p>1 you can say -- would they have been aware of the fact</p> <p>2 that you had no ability to revoke their tenured chair</p> <p>3 positions?</p> <p>4 A. I -- I can't speak to that. I think anybody</p> <p>5 who holds tenure knows that it's very hard to get</p> <p>6 fired.</p> <p>7 Q. Okay. You also testified that you believed</p> <p>8 Jim -- it's McDonald?</p> <p>9 A. Mm-hmm.</p> <p>10 Q. Over Lisa Lewandowski on the issues of Jim</p> <p>11 having allegedly pulled Allison away so that she could</p> <p>12 not meet with Lisa Lewandowski. Why did you believe</p> <p>13 Jim over Lisa? 1:43:22</p> <p>14 A. He's in a -- he was in a position of</p> <p>15 authority in the office, he had handled a lot, he</p> <p>16 seemed trustworthy. I saw no reason why he would want</p> <p>17 to lie to me on that -- in -- in that or any</p> <p>18 circumstance. He also holds a tenured appointment and</p> <p>19 therefore would not have lost his job. 1:43:47</p> <p>20 Q. Okay. Do you understand that it is illegal</p> <p>21 to retaliate against an employee for exercising her</p> <p>22 rights under the FMLA?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Has your testimony today been</p> <p>25 truthful?</p>	<p>1 position.</p> <p>2 Q. Okay. So even your removal as Dean would not</p> <p>3 eliminate your position as a -- a tenured faculty</p> <p>4 member.</p> <p>5 A. No. It wouldn't. 1:45:15</p> <p>6 MS. KAY: I don't think I have anything else.</p> <p>7 Back to you.</p> <p>8 MR. LEE: Okay.</p> <p>9 BY MR. LEE:</p> <p>10 Q. Does tenure guarantee salary?</p> <p>11 A. It -- well, my arrangement guarantees salary.</p> <p>12 Q. Okay. And the chairs' arrangement, is there</p> <p>13 a salary --</p> <p>14 A. Yes, they have a -- they have a base pay that</p> <p>15 is part of their faculty appointment. 1:45:47</p> <p>16 Q. And that base pay is forever?</p> <p>17 A. The base pay is forever, yes.</p> <p>18 Q. And -- and do they get things in addition to</p> <p>19 base pay?</p> <p>20 A. To be a chair, they get a stipend of \$23,000.</p> <p>21 Q. Okay. And that exists only as long as they</p> <p>22 are --</p> <p>23 A. That is --</p> <p>24 Q. -- chair.</p> <p>25 A. -- right.</p>
Page 91	Page 93
<p>1 A. Yes.</p> <p>2 Q. And you understand that, as counsel has asked</p> <p>3 you, that it is a theoretical possibility that Lisa</p> <p>4 Lewandowski could prevail in this case, correct?</p> <p>5 A. Yes. 1:44:13</p> <p>6 Q. Okay. Nevertheless, would it be fair to say</p> <p>7 that your testimony has been truthful despite that</p> <p>8 fact?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. You're a tenured faculty member as</p> <p>11 well, correct?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. And does that tenure provide certain</p> <p>14 protections for your job status with the college?</p> <p>15 A. Yes, it does.</p> <p>16 Q. Okay. Can you, in fairly general terms,</p> <p>17 describe what that protection is? 1:44:43</p> <p>18 A. Well, are you asking in my position as Dean</p> <p>19 or position as a faculty member?</p> <p>20 Q. Let's start with Dean.</p> <p>21 A. If I were to do anything that the college</p> <p>22 deemed was inappropriate for a Dean, they can choose to</p> <p>23 remove me as Dean.</p> <p>24 Q. Okay.</p> <p>25 A. In which case I have a full-time faculty</p>	<p>1 Q. And --</p> <p>2 A. Except in the case of the two tenured as</p> <p>3 chair -- chairs. In which case their stipend -- they</p> <p>4 didn't have a stipend, they just had a high salary. 1:46:19</p> <p>5 Q. Okay.</p> <p>6 A. That doesn't -- that doesn't go away.</p> <p>7 Q. And -- sorry, withdraw that. Does their</p> <p>8 departments have budgets?</p> <p>9 A. I'm not sure what the question is.</p> <p>10 Q. Do the departments have budgets?</p> <p>11 A. The departments have budgets, yes.</p> <p>12 Q. Okay. Are those budgets guaranteed due to</p> <p>13 the tenure status of the department chair?</p> <p>14 A. I'm not sure I understand your question. 1:46:50</p> <p>15 Q. Those budgets can be cut, right?</p> <p>16 A. Well, an institution doesn't cut tenured</p> <p>17 positions unless they can demonstrate financial</p> <p>18 exigency.</p> <p>19 Q. I'm not talking about tenured positions. I'm</p> <p>20 talking about the departmental budget. That can go up</p> <p>21 and that can go down, right?</p> <p>22 A. Yes, but not related to tenured faculty</p> <p>23 members' salaries.</p> <p>24 Q. I unders --</p> <p>25 A. It can go up in supplies and services, it can</p>

Page 94	Page 96
<p>1 go up in other areas, it can go down in other areas. 1:47:16</p> <p>2 Q. Right. Can go up and down in support staff?</p> <p>3 A. I'm not sure what you mean.</p> <p>4 Q. The department has a budget. Correct?</p> <p>5 A. Mm-hmm.</p> <p>6 Q. And you have influence on what the department</p> <p>7 budget is, correct?</p> <p>8 A. Yes. 1:47:42</p> <p>9 Q. Okay. And you have influence on whether</p> <p>10 non-tenure positions or whether staff positions can be</p> <p>11 filled or not filled, correct?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. You have influence on the teaching</p> <p>14 load of the various professors whether or not they're</p> <p>15 tenured, correct?</p> <p>16 A. No, there's a standard teaching load for the</p> <p>17 college.</p> <p>18 Q. Okay. Including a standard class? Is a</p> <p>19 tenured -- I withdraw that. Is a tenured faculty</p> <p>20 guaranteed a particular class? 1:48:08</p> <p>21 A. Nobody's guaranteed --</p> <p>22 Q. Okay.</p> <p>23 A. -- particular classes.</p> <p>24 Q. And you have influence over the classes that</p> <p>25 are assigned to particular faculty members, correct?</p>	<p>1 salary, you have influence over whether that can go up</p> <p>2 or down, correct?</p> <p>3 A. Yes. 1:49:25</p> <p>4 Q. Okay.</p> <p>5 MR. LEE: Nothing further.</p> <p>6 RECORDER: Off the record, 3:21 p.m.</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
Page 95	Page 97
<p>1 A. No.</p> <p>2 Q. Who -- who does?</p> <p>3 A. The chairs.</p> <p>4 Q. Okay. Okay. So, you influence the</p> <p>5 department budget and the non-tenure faculty of a</p> <p>6 department and the staff of the department. 1:48:34</p> <p>7 MS. KAY: Object to the form of the question</p> <p>8 with regard to influence being overly broad and</p> <p>9 general.</p> <p>10 Q. Go ahead.</p> <p>11 A. Well, I was going to say I'm not sure what</p> <p>12 you mean by the non-tenured faculty -- whether or not a</p> <p>13 -- a line can be made available?</p> <p>14 Q. Right.</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And with regard to staff, you have</p> <p>17 influence on whether or not that can be put into budget</p> <p>18 for a department?</p> <p>19 A. Yes. 1:49:03</p> <p>20 MS. KAY: I'm going to object again on the</p> <p>21 same basis that it's overly broad and general. Go</p> <p>22 ahead.</p> <p>23 A. Yes.</p> <p>24 Q. Okay. And with regard to the part of the</p> <p>25 department budget that does not go to tenured faculty</p>	<p>1 CERTIFICATION</p> <p>2 I certify that the foregoing is a correct</p> <p>3 transcript from the record of proceedings</p> <p>4 in the above-entitled matter.</p> <p>5</p> <p>6</p> <p>7 Erin C Sloan</p> <p>8 February 2, 2011</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>